

**AIR POLLUTION CONTROL DISTRICT
COUNTY OF SAN DIEGO**

RULE 11 - EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS

WORKSHOP REPORT

A workshop notice was mailed to each permit holder in San Diego County. Notices were also mailed to all Chambers of Commerce and all Economic Development Corporations, the U.S. Environmental Protection Agency (EPA), the California Air Resources Board (CARB), and other interested parties.

The main purpose of the proposed amendments to Rule 11 was to implement recommendations of the County of San Diego Economic Advisory Board's Sunset Commission and the Commission's Air Pollution Review Committee.

The Sunset Commission recommended that Rule 11 be amended in two phases. The first phase would update the rule to make it consistent with new and recently amended source-specific District rules, and clarify ambiguities as soon as practicable. The second phase would make comprehensive revisions to Rule 11 and include consideration of comments made during the Phase 1 workshop.

The currently proposed changes to Rule 11 implement Phase 1 of the Sunset Commission's recommendations. They also implement ahead of schedule some Phase 2 recommendations that can be accomplished within the time frame for making the Phase 1 changes. In addition to the Sunset Commission recommendations, the proposed changes add new exemptions and revise existing exemptions to clarify the District's original intent, reorganize the rule according to equipment type and category, and reformat it for consistency with other District rules. An index of exemption categories has also been provided to make the rule easier to use.

The District will continue to work on the Phase 2 revisions, including consideration of all issues raised during the Phase 1 workshop which could not be resolved at this time.

The Phase 1 workshop was held on August 3, 1995, and was attended by 56 people. Written comments were also received. The workshop comments and District responses are as follows:

1. WORKSHOP COMMENT

Rule 11 should contain a threshold limit for emissions of Hazardous Air Pollutants (HAP's) similar to the 100 lbs per day threshold limit for criteria pollutants in Subsection (a)(4).

DISTRICT RESPONSE

The District will consider the feasibility of setting a threshold limit during the scheduled Phase 2 revisions to Rule 11. Establishing a single limit or range of limits may be very difficult because of the differences in toxicity among HAP's and the site-specific nature of evaluating potential public health impacts. In the interim, the District will continue using the provisions of Subsection (a)(3) to require permits from operations that emit HAP's and which violate District Rule 51.

2. WORKSHOP COMMENT

Section (a) should clarify that only one of the requirements of Section (d) needs to be satisfied in order for the equipment to be exempt from permit requirements.

DISTRICT RESPONSE

The District agrees. Section (d) has been revised to reflect this comment. It should be noted, however, that equipment which is used for two different types of operations will have to be exempted by Rule 11 for both types of operations before the equipment can be exempted from permit requirements. (See also the District's response to Comment # 41)

3. WORKSHOP COMMENT

Subsection (c)(2) should define "Exempt Compound" instead of "Exempt Solvent" since this term is used throughout the District rules.

DISTRICT RESPONSE

The District agrees. The term "Exempt Solvent" has been replaced with "Exempt Compound", which is not located in Subsection (c)(4).

4. WORKSHOP COMMENT

The definition of "Volatile Organic Compound (VOC)", listed in Subsection (c)(8), references Rule 20.1. For clarity, the definition should also be stated in Rule 11.

DISTRICT RESPONSE

The definition of VOC, as stated in Rule 20.1, has recently been modified by EPA, and now also exempts parachlorobenzotrifluoride (PCTBF), 14 different volatile methyl siloxanes (VMS), and acetone. As a result, the definitions of "VOC" and "Exempt Compound" have become too lengthy to list in Rule 11. In addition, EPA is planning to exempt some additional compounds from the VOC definition. In order to maintain consistency throughout all District rules, the District will soon amend Rule 2 (Definitions), to include the latest definitions of "VOC" and "Exempt Compound" which will be referenced in the existing and future District rules regulating VOC emissions. This change will allow the District to revise only Rule 2 if and when EPA revises the VOC definition again.

5. WORKSHOP COMMENT

Why is the definition of "Volatile Organic Solvent" in Subsection (c)(9) based on an initial boiling point rather than a maximum vapor pressure standard?

DISTRICT RESPONSE

The definition in Subsection (c)(9), which is now located in Subsection (c)(11), does not use a vapor pressure standard because most organic solvents applied in an industrial environment are mixtures, and the calculations or experimental methods for determining the vapor pressure of mixtures are very complicated. On the other hand, an initial boiling point can easily be determined with a standard ASTM test method and also provides a good indication of the VOC mixture volatility.

6. WORKSHOP COMMENT

Subsection (c)(8) provides a definition for "Volatile Organic Compound (VOC)" which is different than the definition found in Rule 61.0 and referenced in Subsection (d)(O) of proposed Rule 11. Why are there two different VOC definitions?

DISTRICT RESPONSE

The definition of VOC in all District rules except Rules 61.0 through 61.8 is based on the EPA and ARB definitions which state that any compound containing at least one atom of carbon is a VOC, except compounds which are specifically exempt (e.g., exempt compounds). The basis of this definition is that any organic compound, if exposed to certain temperatures and/or pressures, can be volatilized and become an air pollutant.

On the other hand, Rules 61.0 through 61.8 regulate the storage and transfer of fuels, particularly gasoline, which are operations that normally occur at ambient conditions. Therefore these rules have a separate VOC definition using vapor pressure limits. The same VOC definition is used in Subsection (d)(O) of Rule 11, which provides exemptions from permit requirements for storage and transfer equipment containing volatile organic compounds. The District recognizes that two different definitions of the same term may cause some confusion, and intends to amend Rule 61.0 (Definitions Pertaining to Storage and Handling of Organic Compounds) in the future, in order to clarify this problem.

7. WORKSHOP COMMENT

Subsections (c)(8) and (c)(9), provide definitions of Volatile Organic Compound (VOC) and Volatile Organic Solvent (VOS). Diesel oil is considered a VOC under Rule 67.18, but is not a VOS according to Rule 11.

DISTRICT RESPONSE

This is correct. While diesel oil is a VOC for the purposes of all District rules except Rules 61.0 through 61.8, the District is creating a separate category for a specific type of VOC's. In order to exempt operations which use materials with high initial boiling points and therefore low vapor pressures, Rule 11 defines a VOS as a material with an initial boiling point of less than 400°F.

8. WORKSHOP COMMENT

Emergency generators with an output rating of less than 200 bhp, and which are operated less than 50 hours per year, should be exempt from permit requirements under Subsection (d)(B)(2).

DISTRICT RESPONSE

The District agrees. A new registration program for such equipment will be developed. The District anticipates this program will be in place prior to the proposed amended Rule 11 implementation date of September 27, 1996. Accordingly, a new provision has been added in Section (T) to allow registration of emergency generator engines which operate less than 52 hours per year for non-emergency maintenance purposes. Any such engines that are registered under the District's registration program will be exempt from permit requirements.

9. WORKSHOP COMMENT

A combination of engines with a total output rating under 200 bhp will be exempt from permit requirements under proposed Subsection (d)(B)(2). Does any other District rule require this equipment to obtain a permit if the engines emit a certain amount of emissions?

DISTRICT RESPONSE

No. However, it should be noted that this exemption only applies to engines which are not located at federal major stationary sources of NOx. In addition, proposed Subsection (a)(4) specifies that if any equipment, operation or process emits more than 100 lbs per day of any criteria pollutant (e.g., NOx), then it is not exempt from the permit requirements of Rule 10.

10. WORKSHOP COMMENT

The EPA comments mentioned that Subsection (a)(4) has an emission limit for lead that exceeds a threshold defined in the Prevention of Significant Deterioration (PSD) provisions of the federal Clean Air Act. Does the District plan on lowering the current 100 lbs per day threshold in Subsection (a)(4) for criteria pollutants?

DISTRICT RESPONSE

No. Please see the District's response to EPA's comment. (Comment # 107).

11. WORKSHOP COMMENT

Are the emission limits in Subsection (a)(4) based on actual emissions?

DISTRICT RESPONSE

Yes.

12. WORKSHOP COMMENT

Assume that a facility needs an emergency generator with a total rating of 150 brake horsepower (bhp). Can it add 3 units, each with a rating of less than 50 bhp, and still be exempt from permit requirements pursuant to Rule 11?

DISTRICT RESPONSE

Yes. Each unit with a rating of less than 50 bhp is exempt pursuant to Subsection (d)(B)(1).

13. WORKSHOP COMMENT

The exemption in Subsection (d)(B)(2) applies to engine "combinations" whose total rating is less than 200 bhp. If there is only one engine, does it qualify for this "combination" exemption?

DISTRICT RESPONSE

Yes. Subsection (d)(B)(2) applies to the total combination of internal combustion piston engines that are located at a non-major stationary source whose total combined manufacturer's rating is 200 bhp or less. A combination may include only one 200 bhp engine or any grouping of engines whose total rating is 200 bhp or less. In addition, each engine with a manufacturer's rating of less than 50 bhp, is exempt from permit requirements pursuant to Subsection (d)(B)(1). Therefore, these engines are not included when determining the total rating of all engines in a combination.

It should be noted that once a group of engines (or one engine) is exempt from permit requirements, the addition of a new engine larger than 50 bhp will not change the existing engine group's exemption status. However, the addition of a new engine(s) rated 50 bhp or above that causes the source's combined manufacturer's rating to exceed 200 bhp will not be exempt. A non-major stationary source of NOx emissions can have only one group of engines (or one such engine) with a total manufacturer's rating less than 200 bhp that is exempt from permit requirements.

14. WORKSHOP COMMENT

Assume that a facility operates several exempt emergency generators whose total manufacturer's rating is 199 bhp, and a temporary portable generator is brought on-site. Does the facility need a permit for this generator?

DISTRICT RESPONSE

A permit would not be required if the portable generator is less than 50 bhp, or if the owner of the generator has registered or permitted the equipment as a portable emission unit as defined in Rule 11. Otherwise, a permit would be required.

15. WORKSHOP COMMENT

Assume that a facility has engines with a total rating equal to or close to the 200 bhp combination limit, and a new engine larger than 50 bhp is brought on-site. Would the new engine be subject to New Source Review (NSR) requirements?

DISTRICT RESPONSE

A new engine, if rated at 50 bhp or above, that causes the combination to exceed 200 bhp would require an Authority to Construct and Permit to Operate. Any new emission unit that requires an Authority to Construct and Permit to Operate is subject to NSR requirements unless the unit is specifically exempt from NSR.

16. WORKSHOP COMMENT

Will the addition of this engine make the existing group of engines subject to NSR?

DISTRICT RESPONSE

No. The existing exempt engines (less than 200 bhp) would not lose their permit exemption and would not be subject to NSR requirements.

17. WORKSHOP COMMENT

Subsection (d)(B)(2) appears to state that only engines with a manufacturer's rating of 50 bhp or greater are to be considered when determining if all the engines at the non-major stationary source are below the 200 bhp combination threshold. Is this correct?

DISTRICT RESPONSE

Yes. (See also the District's response to Comment # 13)

18. WORKSHOP COMMENT

The District should provide an exemption for "heat treat ovens" under Subsection (d)(B) or (d)(H) for clarification.

DISTRICT RESPONSE

The District agrees. Subsection (d)(H)(5) has been revised to include "ovens" used for heat treating operations.

19. WORKSHOP COMMENT

What is the difference between an oven and a furnace?

DISTRICT RESPONSE

There is no difference in these terms as they are used in Rule 11. For the purpose of this rule, these terms are used interchangeably.

20. WORKSHOP COMMENT

Does Rule 11 make any distinction between cogeneration turbines and other turbines?

DISTRICT RESPONSE

No. The exemptions from permit requirements apply to all turbines regardless of their application.

21. WORKSHOP COMMENT

In Subsection (d)(B)(5), the exemption for any combination of boilers with a total heat input rating of 20 million BTU/hr or less has been deleted. Now only individual boilers with a heat input rating of less than 5 million BTU/hr that use natural gas, or boilers with a heat input rating of less than 1 million BTU/hr operating on any fuel, are exempt from permit requirements. Is it correct that a combination of boilers no longer qualifies for an exemption?

DISTRICT RESPONSE

Yes. This change was made to conform with permit requirements for boilers subject to District Rule 69.2.

22. WORKSHOP COMMENT

In the past, oil baths used to soften polyvinyl chloride received an exemption from permit requirements based on District policy. This exemption should be specifically included in Rule 11.

DISTRICT RESPONSE

Based on District information, there is only one source in San Diego County which conducts this type of operation. That equipment should qualify for permit exemption under Subsection (d)(S)(18), which exempts negligible sources of emissions as determined by the District, when operated in the specific manner indicated by the operator. In this case a limited amount of make-up material is used.

Emission units whose emissions are negligible based on specific operating parameters are the type of sources Subsection (d)(S)(18) was intended to apply to.

23. WORKSHOP COMMENT

Are paint spray booths that have heaters considered "ovens"?

DISTRICT RESPONSE

No. For the purpose of Rule 11, heated paint spray booths are not ovens.

24. WORKSHOP COMMENT

Rule 11 should provide a definition for "oven" in Section (c) specifying possible temperature ranges.

DISTRICT RESPONSE

The District disagrees that such a definition is needed in Rule 11. This is a common term which is adequately defined in non-technical dictionaries. In addition, Rule 11 does not provide any specific exemptions for ovens based on their temperature ranges.

25. WORKSHOP COMMENT

Subsection (d)(D)(4) requires the retention of records needed to calculate the average daily VOC emissions, such as District approved emissions factors, VOC content of each material used, number of days of operation per calendar month, and daily or monthly materials usage records. Typical laboratory practice is to use low quantities of numerous substances on an intermittent basis, which is not conducive to calculation of the daily average VOC emissions. Completing a mass balance on these multiple materials is extremely expensive and burdensome, virtually defeating the use of this exemption.

The level of materials that can be stored in a laboratory and the emissions of such materials are already adequately regulated and enforced under federal, state, and local law, including OSHA, RCRA and the Fire Code. It is recommended that the District remove all recordkeeping requirements.

DISTRICT RESPONSE

The District recognizes the potential difficulties of keeping detailed material usage records and other data necessary to calculate VOC emissions in a research laboratory environment. Accordingly, for Phase 1 of the Rule 11 revisions, the proposed recordkeeping requirements in Subsection (d)(D)(4)(iv) will be deleted and a general recordkeeping provision will be retained. The District will continue to work with the affected industries to evaluate what recordkeeping procedures are needed to determine if emissions from "pure" research operations are below 'de minimis' levels. As part of Phase 2 of the Rule 11 revisions, scheduled for 1996, the District will also consider conditions for exempting "product development" operations as recommended by the Sunset Commission.

26. WORKSHOP COMMENT

Does the VOC emission limit of 5 lbs per day in Subsection (d)(D)(4)(ii) apply to each individual piece of bench scale equipment, a group of identical pieces of equipment, a group of equipment that is used for a process, or the whole facility?

DISTRICT RESPONSE

Currently this limit applies to each bench scale operation, which may include several separate pieces of equipment, or a single piece of equipment.

27. WORKSHOP COMMENT

Are the emissions from equipment which is exempt from the District's permit requirements considered when determining whether a facility is a major source pursuant to Rule 20.1 and 69.4?

DISTRICT RESPONSE

Rule 20.1 (d)(1)(ii)(A) specifies that emissions from emission units that are specifically exempt from permit requirements pursuant to Rule 11 should not be included when calculating the aggregate potential to emit used to determine a facility's "major source" status. The same method applies to Rule 69.4. However, Rule 20.1 and Rule 69.4 have not yet been approved by EPA. Therefore it is not certain that this provision will remain in the future.

28. WORKSHOP COMMENT

What is the difference between a "natural draft hood" and a "hood"?

DISTRICT RESPONSE

A "natural draft hood" uses no mechanical means to draw air from the work area to the atmosphere, whereas a "hood" may or may not use mechanical means to accomplish the same task.

29. WORKSHOP COMMENT

Section (D)(5) provides an exemption for peptide synthesis operations, but "peptide synthesis" does not adequately describe the type of operations undertaken in biotechnology and biomedical facilities. They are more appropriately described today as "biotechnology/pharmaceutical intermediate, biological or chemical substance and/or final dosage formulation synthesis." This terminology is also consistent with facilities' Food and Drug Administration (FDA) approval of their operations. It is recommended that the District replace "peptide synthesis" with the above language for clarity and consistency with FDA terminology.

DISTRICT RESPONSE

The District does not agree at the present time with this recommendation. FDA regulations do not generally address air pollution control issues. In addition, the suggested wording is too broad and includes operations which may be subject to Rule 67.15 (Pharmaceutical and Cosmetics Manufacturing Operations) or other rules regulating VOC emissions.

Presently, the District does not have enough information regarding the nature and amounts of VOC's used in biotechnology operations to make the proposed change in the Phase 1 revisions of Rule 11. Therefore, the District will continue to work with the affected companies to determine if additional types of biotechnology operations should be included in the Phase 2 revisions. In the interim, processes that have had permit requirements deferred under current District policy, and similar processes will continue to have permit requirements deferred.

30. WORKSHOP COMMENT

Subsection (d)(B)(4)(ii) specifies that uncontrolled VOC emissions from bench scale equipment should not exceed 5 lbs per day. How was this limit determined?

DISTRICT RESPONSE

Several years ago Rule 11 exempted coating operations which applied less than one gallon per day of coating. The VOC emissions from such operations were approximately 5 lbs per day. This same level has been used for limiting other VOC source permit exemptions. The proposed Subsection (d)(D)(4)(ii) uses the same VOC emission level.

31. WORKSHOP COMMENT

The limitation of five pounds per day of VOC emissions in Subsection (d)(D)(4) no longer has a basis under the federal, state or local rules currently enacted. Existing equipment should be exempt from permit requirements unless and until a prohibitory rule is adopted which is applicable to such equipment. At that time, existing equipment would become subject to the new rule. For new equipment, the limitation should be increased to ten pounds per day before a permit is required in order to be consistent with the threshold limits for implementing BACT under the New Source Review rules. Using this approach, the new unit would be required to obtain a permit once BACT is required, but not until that time. This would also eliminate an unnecessary and arbitrary local permit for VOC emissions between five and ten pounds per day.

DISTRICT RESPONSE

The District disagrees. Most of the Rule 11 exemptions which contain a five pound per day emission limitation are for processes or operations which are subject to a specific prohibitory rule (e.g. Rule 67.12 - Polyester Resin Operations). The remaining exempt operations are subject to Rule 66 (Organic Solvents). As the District's response to the previous comment indicates, the five pound per day exemption level was selected because other widely accepted exemptions resulted in a similar level of emissions.

The District has considered adopting a ten pound per day exemption level for all VOC emission units to match the NSR thresholds, but the District has determined that this change would conflict with the applicability and exemption limits of most existing VOC rules, as well as the associated federal CTG exemption thresholds.

32. WORKSHOP COMMENT

Subsection (d)(E) should specify that it only applies to replacement equipment which does not exceed the proposed emission thresholds in the Toxic NSR rule.

DISTRICT RESPONSE

The provisions provided in Subsection (d)(E) for replacement of identical or 'like-kind' equipment require that the type and amount of emissions be the same or less than those from the existing equipment. This would include emissions of toxic air pollutants. Therefore, replaced equipment complying with these provisions would not be a 'new source' of hazardous air pollutants, and would not be subject to the proposed Toxic NSR rule. Thus, the suggested change is unnecessary.

33. WORKSHOP COMMENT

The District should clarify the term "housekeeping" in Subsection (d)(F)(1).

DISTRICT RESPONSE

The District agrees. For the purposes of this subsection, "housekeeping" includes those functions which are incidental to the process and are performed solely to enhance the appearance, cleanliness and maintenance of a facility.

34. WORKSHOP COMMENT

For clarification purposes, the District should consider moving the last paragraph of Subsection (d)(F) to the beginning of this Subsection, or ensure that it is included on the same page.

DISTRICT RESPONSE

The District agrees. The last paragraph has been moved to the beginning of Subsection (d)(F).

35. WORKSHOP COMMENT

Does the exemption for vacuum-producing devices in Subsection (d)(F)(5) apply to such devices if used in conjunction with welding equipment?

DISTRICT RESPONSE

Yes. Vacuum-producing devices connected to any equipment which is exempt from permit requirements pursuant to Rule 11, including welding equipment, are also exempt from permitting requirements pursuant to Subsection (d)(F)(5).

36. WORKSHOP COMMENT

Currently only metallizing guns which spray metal which is in a wire form are exempt from permit requirements. Why has the District removed the wire form restriction?

DISTRICT RESPONSE

This was not the District's intent. Subsection (d)(G)(8) has been revised to clarify this.

37. WRITTEN COMMENT

The exemption provided in Subsection (d)(G)(8) for metallizing guns should be deleted or limited to operations which emit no hazardous air pollutants (HAP's).

DISTRICT RESPONSE

The District will retain the current exemption at this time. The District is presently collecting information concerning the type of metals and the amount of HAP emissions from these operations. The District intends to reconsider this matter during the Phase 2 revisions to Rule 11.

38. WORKSHOP COMMENT

Some electric arc spray guns use tungsten carbide, ceramics or alloys, such as titanium alloy, which do not contain or produce hazardous air pollutants. They should be exempt since they do not emit any hazardous air pollutants.

DISTRICT RESPONSE

The District disagrees at this time. Such operations may be a significant source of particulate emissions. The District is presently collecting information on this issue and intends to reconsider this matter during the Phase 2 revisions to Rule 11.

39. WORKSHOP COMMENT

Subsections (d)(G)(13) and (14) should include chemical milling of titanium and niobium alloys.

DISTRICT RESPONSE

The District agrees. These subsections have been revised to include titanium and niobium alloys provided that they do not contain metals classified as hazardous air pollutants.

40. WORKSHOP COMMENT

Does Subsection (d)(J)(1) also exempt deburring operations?

DISTRICT RESPONSE

Yes. 'This was the District's intent and this subsection has been modified to include deburring operations.

41. WORKSHOP COMMENT

Does Subsection (d)(J)(1) apply to graphite-based and epoxy resin-based materials?

DISTRICT RESPONSE

Yes. The term "plastic" relates to all plastics, including graphite-based and epoxy resin-based plastics, provided they are not reinforced with fiberglass.

42. WORKSHOP COMMENT

Subsection (d)(J)(2) exempts wet-jet devices used for cutting fiberglass. Are wet-jets devices which are used for cutting metal, plywood, or fiberboard, also exempt?

DISTRICT RESPONSE

Yes. Subsection (d)(J)(1) exempts equipment used for the mechanical operations listed, including devices used for cutting metal, ply-wood or fiberboard. Subsection (d)(J)(2) specifically exempts wet-jet devices used for cutting fiberglass reinforced plastic because it is the only exempt method allowed for cutting this type of material.

43. WORKSHOP COMMENT

Subsection (d)(M)(3) specifies that mixers used for plastics are exempt if "...no material in powder form is added." Is there a definition for "powder" based on the particle size of the material?

DISTRICT RESPONSE

No. There is no definition for 'powder' based on particle size. The District's intention is to limit particulate emissions by only exempting mixing operations which do not add finely dispersed solid particles.

44. WORKSHOP COMMENT

Why was the exemption for powder coating operations in Subsection (d)(O)(1) revised to limit the usage of cleaning solvents?

DISTRICT RESPONSE

This change makes Rule 11 consistent with the exemption provided in Rule 67.3 (Metal Parts and Products Coating Operations). In general, the District considers powder coating operations to be a small source of VOC emissions. However, occasionally the amount of cleaning solvents used in conjunction with these operations is significant, and may disqualify a source from a permit exemption. Therefore, the one-half gallon of solvent usage allowed per day in this subsection will limit VOC emissions to approximately 5 lbs per day.

45. WORKSHOP COMMENT

Subsection (d)(N)(1) provides an exemption for dry batch mixers with a rated working capacity of less than 0.5 cubic yards, while Subsection (d)(N)(2) provides an exemption for wet batch mixers with a rated working capacity of one cubic yard. If a facility has a pug mill with a 0.75 cubic yard capacity, which is used occasionally as a wet and dry mixer, would it be exempt?

DISTRICT RESPONSE

Since the proposed equipment has a working capacity of greater than 0.5 cubic yards, the equipment is not exempt when used as a dry batch mixer. If the equipment is used as stated in the comment (i.e., as both a wet and dry mixer), then a permit would be required.

46. WORKSHOP COMMENT

If a facility has a powder coating operation that is exempt from permit requirements, but also uses solvent in a separate permitted operation, would the powder coating operation require a permit?

DISTRICT RESPONSE

No.

47. WORKSHOP COMMENT

The District should discourage the usage of organic solvents for all cleaning operations.

DISTRICT RESPONSE

Many District rules currently limit the emissions of cleaning solvents by requiring the use of materials with a low-VOC content, a high initial boiling point, or a low vapor pressure. Certain permit exemptions also encourage use of low-VOC or low-volatility materials.

48. WORKSHOP COMMENT

Subsection (d)(O)(8) limits the coating capacity of air brushes. What is the reason for this limitation?

DISTRICT RESPONSE

This subsection exempts liquid coating operations from permit requirements which exclusively use small air brushes (e.g., less than 2 oz) since they are not significant sources of VOC emissions. In addition, this exemption is consistent with exemptions for stencil coating operations found in other District rules such as Rules 67.3 and 67.9 (Metal Parts and Products Coating Operations; Aero-space Coating Operations). The District does not regulate the size of air brushes which can be used in any permitted coating operation.

49. WORKSHOP COMMENT

Subsection (d)(O) is inconsistent because some of its provisions require keeping records for two years and some for three years.

DISTRICT RESPONSE

The recordkeeping requirements for each provision in proposed amended Rule 11 are consistent with the corresponding requirements of the District's prohibitory rules, such as Rule 67.3 for Subsection (d)(O)(3) and Rule 67.4 for Subsection (d)(O)(9).

50. WORKSHOP COMMENT

Subsection (d)(O)(3) requires that both monthly purchase, and daily or monthly usage records be kept. What is the reason for keeping monthly purchase records in addition to actual usage records?

DISTRICT RESPONSE

The requirement for keeping monthly or daily usage records is consistent with the prohibitory rules regulating coating operations such as Rules 67.3 and 67.9. Purchase records are needed to verify compliance with the usage limit by providing a mechanism for comparing the amount of liquid coatings bought to the amount of coatings used and recorded.

51. WORKSHOP COMMENT

Subsection (d)(O)(9) provides an exemption from permit requirements for liquid coating operations which use a low-VOC coating (less than 20 g/l) and less than 30 gallons per day of VOC containing materials. Must both conditions be satisfied in order for an exemption from permit requirements to be granted?

DISTRICT RESPONSE

Yes. These requirements were selected because they result in VOC emissions of less than 5 lbs per day, the same exemption level used for various VOC sources throughout Rule 11. Please also see the District's response to Comment #52.

52. WORKSHOP COMMENT

If a facility has a water-based coating with a VOC content close to zero (0.15 g/l), but uses slightly more than 30 gallons of coating per day, would this facility be exempt from permit requirements?

DISTRICT RESPONSE

In this case, the facility may choose to obtain a Certificate of Exemption according to the requirements of Subsection (d)(S)(18), which provides exemptions from permit requirements to negligible sources of emissions as determined by the District.

53. WORKSHOP COMMENT

The intent of Subsection (d)(P) is unclear. This subsection is labeled "Solvent Application Equipment and Operations", yet (d)(P)(1) also exempts anodizing, plating, polishing, etching, and stripping operations. The exemptions for these types of operations should be separated from this subsection.

DISTRICT RESPONSE

The District agrees. The exemption for these non-solvent application operations have been moved to Subsection (d)(S) -- Miscellaneous Equipment & Operations.

54. WORKSHOP COMMENT

If a liquid material subject to Subsection (d)(P)(1)(ii) contains water, the initial boiling point would be less than 400°F. Would the equipment using this material be exempt from permit requirements?

DISTRICT RESPONSE

Subsection (d)(P)(1)(ii) has been deleted from the proposed Rule 11 amendments. Therefore, only operations that use liquid materials with a VOC content of less than 10% by weight would be exempt. The District intends to reconsider this matter during the Phase 2 revisions to Rule 11 and possibly provide an exemption for low volatility materials based on annual usage rates.

55. WORKSHOP COMMENT

If a facility uses a solvent that contains 8% VOC by weight, would it be exempt from permit requirements under Rule 11?

DISTRICT RESPONSE

Yes. Subsection (d)(P)(1)(i) states that materials which contain less than 10% VOC by weight are exempt from permit requirements.

56. WORKSHOP COMMENT

The District should consider lowering the initial boiling point exemption in Subsection (d)(P)(1)(ii) from 400°F to 300°F, and adding an exemption for materials with a very low vapor pressure.

DISTRICT RESPONSE

The District has decided to delete Subsection (d)(P)(1)(ii) from the proposed amendments to maintain consistency with Rule 67.6 (Solvent Cleaning Operations). Therefore the only liquid material based exemption for these types of operations is the use of materials with a VOC content of less than 10% by weight. The District intends to reconsider this matter during the Phase 2 revisions to Rule 11 and possibly provide an exemption for low volatility materials based on annual usage rates.

57. WORKSHOP COMMENT

A facility currently has an exempt metal inspection tank because it uses a solvent with a low VOC content. Under the current revisions to Rule 11, it appears that the metal inspection tank is no longer exempt. Is it the District's intent to require permits for such equipment?

DISTRICT RESPONSE

This equipment is currently exempt based on the District's determination that the liquid material being used in the tank is not an "organic solvent". The tank will still be exempt from permit requirements because the liquid material being used is also not a "volatile organic solvent" as defined in proposed amended Rule 11.

58. WORKSHOP COMMENT

Is the storage of used oil exempt under Subsection (d)(O)?

DISTRICT RESPONSE:

Yes. The VOC definition specified in this subsection is based on Rule 61.0 (Definitions Pertaining to Storage and Handling of Organic Compounds), which exempts the storage of all organic compounds with a Reid vapor pressure of less than 3 psia at 100°F. In addition, all storage tanks with a capacity 249 gallons or less are exempt from permit requirements regardless of the material they contain.

59. WORKSHOP COMMENT

Subsection (d)(S)(4) should be modified to include electrically powered shredders/disintegrators equipped with a bag house filter system.

DISTRICT RESPONSE

The District disagrees. The use of air pollution control equipment is not an adequate basis for exempting operations which would otherwise require a permit to operate. Paper disintegrators typically have significant particulate emissions which require the use of control equipment in order to comply with District rules.

60. WORKSHOP COMMENT

The District should clarify Subsection (d)(S)(16), which provides an exemption for aerosol can crushing equipment. Currently emission control technologies associated with "aerosol can crushing" range from none to totally closed loop systems which capture both the product and propellant. Also, it is not clear whether "aerosol can crushing equipment" includes the puncturing and recycling of aerosol cans.

DISTRICT RESPONSE

Subsection (d)(S)(16) has been revised to clarify the District's intent. This subsection now specifies that the use of a closed loop recovery system for any aerosol can puncturing or crushing operation is exempt from permit requirements. In addition, aerosol puncturing units that are equipped with properly operated and maintained carbon adsorption canisters and which process less than 500 cans per day are also exempt.

61. WORKSHOP COMMENT

Does Subsection (d)(S)(16) apply to the crushing of empty non-aerosol paint can containers?

DISTRICT RESPONSE

It is assumed that "empty" non-aerosol paint containers have only dry paint residues and therefore do not have any potential to emit VOC's. Accordingly, a permit to operate pursuant to Rule 10 is not required for this operation.

62. WORKSHOP COMMENT

Can an exemption be provided for operations where various materials are added to containers, including powders, and then the containers are completely closed prior to mixing?

DISTRICT RESPONSE

As described, the operation may qualify for an exemption pursuant to Subsection (d)(S)(18) if the District is able to determine that there are insignificant emissions of air contaminants. The District will further investigate this type of operation and consider an exemption for specific types of similar operations during Phase 2 of the Rule 11 revisions. The District will need information regarding specific types of containers, enclosure construction and potential emissions during adding of materials, mixing or auxiliary operations.

63. WORKSHOP COMMENT

Section (g) states that all specified test methods should be used as they "...exist on date of adoption". There have been some obstacles in the past in finding laboratories that will perform outdated tests. Can the District allow the use of the most current test method?

DISTRICT RESPONSE

Yes. Section (g) has been revised to specify that the most current version of the stated test method will be used to determine compliance.

64. WORKSHOP COMMENT

How much time will the District allow facilities to obtain a permit to operate for equipment that was previously exempt pursuant to Rule 11?

DISTRICT RESPONSE

The District plans to submit Rule 11 for Public Hearing on October 17, 1995 and provide affected facilities approximately one year after date of adoption (until September 27, 1996) to apply for a permit to operate for equipment which is exempt under the current rule. This date was chosen because new District Rule 69.2 (Industrial and Commercial Boilers, Process Heaters and Steam Generators) requires the operators of previously exempt equipment to apply for an Authority to Construct by September 27, 1996.

65. WRITTEN COMMENT

Subsection (d)(P)(6) provides an exemption for using liquid materials with an initial boiling point of 400°F, or greater. The exemption should be modified to also allow the use of materials with a low vapor pressure of 2 mm Hg or less.

DISTRICT RESPONSE

The exemption provided in proposed Subsection (d)(P)(6) for high boiling materials has been modified to only exempt the use of liquid materials with an initial boiling point of 450°F, or greater in golf club gripping operations. This initial boiling point was chosen for consistency with Rule 66 (Organic Solvents), which is not applicable to liquid materials with an initial boiling point of 450°F, or greater.

The District is also concerned that the use of such materials in large quantities may result in significant quantities of VOC emissions. The District intends to reconsider this matter during the Phase 2 revisions to Rule 11 and possibly provide an exemption for low volatility materials based on annual usage rates.

66. WRITTEN COMMENT

Subsection (d)(B)(4) exempts gas turbine engines that operate on natural gas which have an output rating of up to 0.3 megawatts. Military facilities currently operate less than 100 gas turbine engines on JP-5 fuel for tactical ground support equipment throughout San Diego County. Subsection (d)(B)(4) should be modified to also exempt units which are fueled with JP-5.

DISTRICT RESPONSE

The District agrees. Subsection (d)(B)(4) has been modified as suggested.

67. WRITTEN COMMENT

New gas turbines with a power rating less than or equal to 0.4 megawatts, used in conjunction with military tactical deployable equipment operated at military sites, and which are operated less than

1000 hours per calendar year are exempt from Rule 69.3 requirements. The same exemption should be provided in Rule 11.

DISTRICT RESPONSE

Permitting issues related to military deployable tactical equipment are now being considered on a statewide level. When statewide recommendations are made, the District will likely include military deployable tactical equipment in the portable equipment registration rule (proposed Rule 12.1). If such equipment is registered in accordance with that rule, it will be exempt from permit requirements.

68. WRITTEN COMMENT

For consistency with Rule 69.4, Subsections (d)(B)(1) and (d)(B)(2) should specify "output rating" rather than "rating".

DISTRICT RESPONSE

The District agrees. Both subsections have been modified accordingly.

69. WRITTEN COMMENT

Subsection (d)(B)(4) provides an exemption for gas turbine engines which are fired exclusively with natural gas and/or liquefied petroleum gas. Can a similar exemption be provided for internal combustion engines which are fired exclusively with natural gas and/or liquefied petroleum gas, if these engines meet the emissions standards of Rule 69.4 (d)(1)(i) or (ii)?

DISTRICT RESPONSE

No. Subsection (d)(B)(4) applies only to small turbines and is consistent with the applicability of Rule 69.3 (Stationary Gas Turbine Engines). All reciprocating stationary internal combustion engines with an output rating of 50 bhp or greater and which are located at major stationary sources must meet the emission standards of Rule 69.4 and are therefore subject to permit requirements. Rule 69.4 does not apply to engines located at non-major stationary sources. However, if these engines meet the emissions standards of the rule, it is likely that they were required to obtain an Authority to Construct and Permit to Operate and were subject to New Source Review requirements.

70. WRITTEN COMMENT

Rule 69.4 currently exempts "Any engine used in conjunction with military tactical deployable equipment operated at military sites, provided that the operation of the engine does not exceed 1000 hours per calendar year." This exemption should also be provided in Rule 11.

DISTRICT RESPONSE

Please see the District's response to Comment # 67.

71. WRITTEN COMMENT

The provisions of Subsection (d)(T) should be moved to Subsection (d)(A) since portable emission units are 'mobile' and should be more appropriately considered "mobile sources".

DISTRICT RESPONSE

The District disagrees. For the purposes of this rule, "mobile sources" are defined as those which are self-propelled. Most portable emission units do not meet this definition.

72. WRITTEN COMMENT

The provisions of Subsection (d)(A)(1) should be modified to apply to "mobile sources" as they are defined in proposed District Rule 67.20 (Automotive Refinishing Operations): "Any vehicles or equipment which may be drawn or are capable of being driven on a roadway or rails, including, but not limited to, truck bodies, truck trailers, utility bodies, camper shells, locomotives, railcars, trolleys, military equipment, aircraft ground support equipment, mobile cranes, bulldozers, street cleaners, golf carts, and implements of husbandry."

DISTRICT RESPONSE

The District disagrees. The referenced definition from Rule 67.20 is for "mobile equipment" and is more inclusive than the exemption for engines in Rule 11. The intent of Subsection (d)(A)(1) is to exempt engines which are used primarily to provide propulsion, but which may also supply heat, mechanical, hydraulic or electrical power to the vehicle, train, ship, boat or barge in which it is located.

73. WRITTEN COMMENT

Tactical equipment can be both portable and self-propelled and is utilized for various situations both domestic and abroad, including humanitarian and military purposes. The equipment is built to common specifications and is designed to be interchangeable among all military branches. A specific exemption from permit requirements, separate from the "portable equipment" exemption, should be provided to recognize the unique operational requirements of the equipment.

DISTRICT RESPONSE

Please see the District's response to Comment # 67.

74. WRITTEN COMMENT

Subsection (a)(4) should be revised to read "100 pounds per day of any single criteria air pollutant" instead of "any of the following criteria air pollutants...".

DISTRICT RESPONSE

The District agrees. Subsection (a)(4) has been clarified to read "any one of the following...".

75. WRITTEN COMMENT

Rule 69.4 exempts engines which operate less than 200 hours per calendar year and emergency standby engines, respectively, from the emission standards of Section (d). The same exemptions should be provided in Rule 11 since permitting is not necessary to ensure compliance with the recordkeeping requirements of Rule 69.4, and the remaining applicable provisions do not contain substantive requirements which would justify the need or expense of permits.

DISTRICT RESPONSE

The District intends to include emergency standby engines in a new registration program. (Please see the District's response to Comment # 8). Accordingly, all existing and new emergency generator engines, which are operated less than 52 hours per year (not including emergency situations) and are registered with the District will be exempt from permit requirements pursuant to Subsection (d)(T). Non-emergency engines which operate less than 200 hours per year will still be subject to permit requirements. The registration program for emergency standby engines will be in place before permits are required as a result of changes to Rule 11.

76. WRITTEN COMMENT

The proposed amendments delete the current exemption in Subsection (d)(1)(vi) for "Non-electrical generating piston type engines with a maximum power output of less than 500 bhp, when part of a process, process line,...or other contrivance for which a Permit to Operate is required by these Rules and Regulations". If a small starter engine is used with a permitted gas turbine, will the engine now require a separate permit?

DISTRICT RESPONSE

No. This equipment will not require a separate Permit to Operate but will be included within the Permit to Operate for the process, process line, turbine test cell or other contrivance which otherwise requires a permit.

77. WRITTEN COMMENT

Rule 69.3 provides exemptions for several gas turbine engines with negligible emissions. An exemption based on low annual usage (low capacity factor, i.e. 10% or less) should be added to Rule 69.3 and Rule 11.

DISTRICT RESPONSE

The District disagrees. Rule 69.3 cannot be amended to provide an exemption for turbines with low annual usage because it would be less stringent than the statewide RACT determination which has no exemptions for gas turbines based on their usage. Accordingly, the proposed revision to Rule 11 is consistent with the requirements of Rule 69.3.

78. WRITTEN COMMENT

An exemption based on low annual usage (low capacity factor, i.e. 10% or less) should be added to Rule 69.2 (Industrial and Commercial Boilers, Steam Generators and Process Heaters) and Rule 11.

DISTRICT RESPONSE

The District disagrees. Rule 69.2 exempts low usage boilers from the NOx emission standards but requires them to comply with specified operational parameters. These requirements are in agreement with the statewide RACT/BARCT determination. Accordingly, the proposed revision to Rule 11 is consistent with Rule 69.2.

79. WRITTEN COMMENT

Subsection (d)(E)(2) stipulates that the like-kind replacement of permitted equipment is exempt from the requirements of Rule 10 that are applied to new equipment. If a piece of equipment is currently exempt based on the date of installation of the equipment, the equipment loses its exemption status when a like-kind replacement takes place. The loss of the Rule 11 exemption means that this equipment is treated as a new emission unit by the NSR rules, and no emission credit is given for the previously exempt equipment.

The District should either exempt like-kind replacements of exempt equipment, or for the purposes of NSR, provide written guidance on how to treat the actual emissions from the equipment being replaced. Another possibility would be to stipulate in Rule 11 that like-kind replacement of exempt equipment is not subject to the emission offset or AQIA provisions of the District's NSR rules.

DISTRICT RESPONSE

The District has removed almost all exemptions based on installation date (grandfathered) from the proposed amended Rule 11. Currently exempt equipment would lose its exemption status when:

- a) the equipment does not meet the applicability requirements of Section (a),
- b) Rule 11 is amended and the exemption is modified or deleted, or
- c) when grandfathered equipment is replaced.

Rule 20.1 (b)(1) clearly states that existing equipment which is subject to NSR solely due to Rule 11 amendments is exempt from NSR requirements. Therefore all of the currently grandfathered exempt equipment will be exempt from NSR requirements when the proposed amendments to Rule 11 are adopted. The District currently exempts from permit requirements the like-kind replacement of most non-permitted equipment. The only exception is when the current exemption is based on an installation date. If the District exempted that type of replacement from permit requirements, the equipment would be permanently exempt, regardless of the date of installation. This was never the intent. In addition, the NSR rules provide relief from Air Quality Impact Analysis and emission offset requirements by basing those requirements on emission increases that result from replacement of existing emission units.

80. WRITTEN COMMENT

Subsection (d)(E) needs to clarify that it is referring to the replacement equipment only.

DISTRICT RESPONSE

The District agrees. Subsection (d)(E) has been revised accordingly.

81. WRITTEN COMMENT

Subsection (d)(S)(8) should be modified to include "equipment used exclusively for natural gas line emergency fire extinguishing training". The training occurs approximately 20 times a year, is a source of negligible emissions and generates no visible emissions.

DISTRICT RESPONSE

The District agrees. Subsection (d)(S)(8) has been revised to reflect this comment.

82. WRITTEN COMMENT

The term "process water" which is used in Subsection (d)(F)(7) should be defined.

DISTRICT RESPONSE

The District disagrees. Rule 11 applies to a broad variety of processes, which makes this term difficult to define. However, Subsection (d)(F)(7) has been revised in response to Comment #83.

83. WRITTEN COMMENT

Subsection (d)(F)(7) should be revised to clarify the District's intent as follows: "...evaporative cooling of water utilized solely in heat transfer processes, but not evaporative cooling of:" and Subsection (d)(F)(7)(i) should read "process water (e.g. contaminated water or industrial wastewater)".

DISTRICT RESPONSE

The District agrees. Subsection (d)(F)(7) has been revised as suggested.

84. WRITTEN COMMENT

An exemption should be included in Subsection (d)(J) for equipment used to manually cut asbestos gasket materials. These pieces of equipment crimp as they cut so that asbestos fibers are not released into the air; thus, there is no need to permit these operations.

DISTRICT RESPONSE

According to information provided to the District, the use of this equipment results in insignificant quantities of air contaminants. Therefore, the District believes this equipment would be eligible for an exemption from permit requirements pursuant to Subsection (d)(S)(18). The District will consider this comment in Phase 2 of the Rule 11 amendments.

85. WRITTEN COMMENT

An exemption should be added to Subsection (d)(P) for solvents applied from squeeze containers, wash bottles, spray bottles, dispensing plunger cans, and dispensers with press down caps and/or with narrow tips, which are not subject to any of the standards of District Rule 67.17 (Storage of Materials Containing Volatile Organic Compounds).

DISTRICT RESPONSE

The District disagrees. Solvents which are dispensed from these types of containers may be subject to specific prohibitory rules such as Rule 67.3 (Metal Parts and Products Coating Operations). In addition, the facility-wide use of solvents from such equipment can be a significant source of emissions. Currently, permits are not required for these types of operations until an exemption level can be determined. The District intends to further address this issue in Phase 2 of the Rule 11 amendments.

86. WRITTEN COMMENT

Would equipment which is not specifically exempt by Rule 11 and which does not have a Certificate of Exemption, automatically receive a Notice of Violation based on Rule 10 requirements?

DISTRICT RESPONSE

No. In accordance with the District's Notice to Comply program, the facility would receive a Notice to Comply if it has not had previous experience in permitting that type of equipment, and may choose to apply for a Certificate of Exemption at that time. However, if the facility has permits for similar types of equipment, then a Notice of Violation would be issued.

87. WRITTEN COMMENT

An exemption should be provided for "Bilge Oily Wastewater Treatment Systems" (BOWTS) which process, refine, store and/or transport organic compounds to the sewage system for disposal. The exemption should apply to those products meeting the Rule 61.0 definition of VOC's which have a true vapor pressure less than 3.0 pounds per square inch absolute at 100°F.

DISTRICT RESPONSE

The District disagrees. The VOC definition used in Rule 61.0 applies only to storage and transfer of organic compounds which typically takes place at ambient conditions and are not connected with any processing or stirring of VOC containing materials. The VOC definition for any processing or refining operations does not have an exemption for low vapor pressure materials.

However, the specific operation cited has been evaluated by the District and determined to be an insignificant source of emissions. Therefore, the equipment may be exempt from permit requirements pursuant to Subsection (d)(S)(18).

88. WRITTEN COMMENT

An exemption should be added for hyperbaric chambers and the diesel engines that power them. The chamber serves as a life support system for personnel involved in diving accidents and provides life support to personnel performing emergency work on ship hulls. Due to the life saving function of the chamber and the extensive training required to operate the system, permit conditions which limit its use could prove to be catastrophic.

DISTRICT RESPONSE

Currently the District does not have enough information to determine if an exemption is appropriate for this type of equipment. The District has requested additional information regarding annual usage and emissions, and will reconsider this comment during the Phase 2 revisions to Rule 11. If these engines are classified as portable military tactical deployable equipment or as emergency standby engines, they may be exempt from permit requirements pursuant to the provisions of Subsection (d)(T). (See also the District's response to Comment # 67)

89. WRITTEN COMMENT

The District should clarify in the workshop report how fees will be determined for categories of newly permitted units until Rule 40 is revised. Initial fees for newly permitted units should be as low as possible, consistent with District processing of initial permit applications.

In addition, the District should develop a plan for ensuring that the elimination of certain Rule 11 exemptions does not result in total fee revenues that are greater than the District's funding requirements. This plan should be developed with the participation of the Air Pollution Permit Streamlining (APPS) Committee.

DISTRICT RESPONSE

This issue will be addressed by the APPS Committee over the next few months, and should be reflected in Phase 2 of revisions to District Rule 40 scheduled for 1996.

90. WRITTEN COMMENT

Amended Rule 11 imposes new permit requirements for ovens associated with permitted coating operations. Emissions from the volatilization of a coating can be fully accounted for as part of the coating process permit. No change in Rule 11 is needed for the District to clarify, if necessary, that all of these coating-related emissions are subject to fees.

Additional emissions from burning fuel for the purpose of heating an oven are minimal.

DISTRICT RESPONSE

All equipment used in a coating application operation should be listed on the permit to operate for that coating operation, including ovens used for drying or baking coatings. This allows District inspectors to quickly determine if the oven is in compliance with Rule 10 (Permits Required). The description of such ovens will be added to the associated permits at the facility's request or permits will be modified based upon annual permit inspection reports. No additional fees will be charged for adding the descriptions of existing ovens to the associated permits. Permits will be worded to ensure flexibility in the use of ovens shared by more than one coating operation to the extent allowed by District rules.

91. WRITTEN COMMENT

Rule 11 exemptions should not be eliminated for units that are subject only to the recordkeeping requirements of a prohibitory rule (e.g., to categories of internal combustion engines that are specified in Rule 69.4(b)). District costs to verify that these units are not subject to a substantive

regulatory standard should be recovered through a registration fee or a time and materials charge to the facility, rather than through a permit fee.

DISTRICT RESPONSE

The District is now proposing to include emergency standby engines, which encompass the majority of these units, in a new registration program. New provision will be added in Subsection (d)(T) to specify that registered units are exempt from permit requirements. Please see also the District's response to Comment #8.

92. WRITTEN COMMENT

Proposed Subsection (d)(A)(1) recognizes that mobile equipment engines may be used both to propel the equipment and provide electrical energy to operate the equipment. In practice, however, engines that provide propulsion may also provide mechanical or hydraulic power rather than electrical energy for equipment operations. Mobile equipment that operates in this way has typically been treated as exempt from permit requirements. This subsection should be modified to specify that such equipment is exempt from permit requirements.

DISTRICT RESPONSE

The District agrees. Subsection (d)(A)(1) has been clarified to state that engines which are primarily used to provide propulsion, but which also may be used to provide mechanical, electrical or hydraulic power, are exempt from permit requirements.

93. WRITTEN COMMENT

The proposed changes in Rule 11 would eliminate permit exemptions for existing engines and groups of engines located at non-major stationary sources, that are not yet subject to a District prohibitory rule. This is premature and serves no purpose other than to provide information to the District.

Until a BARCT rule is promulgated, most internal combustion engines that are currently exempt and not subject to Section (d) of Rule 69.4 should not be required to obtain a permit. Permits should be required for engines that have already been permitted, for engines at major sources that are subject to emissions standards of Rule 69.4(d), and for new or modified engines that are subject to BACT under state law.

The District should collect any additional information that it needs to prepare a BARCT rule or related changes to Rule 40 through the emissions inventory process, a registration process, or surveys.

DISTRICT RESPONSE

The District is now proposing to register the majority of these internal combustion engines which are not located at major stationary sources and are not exempted pursuant to Rule 11. New registration provision has been added to Subsection (d)(T) for all emergency standby engines, and existing exempt engines with an output rating of less than 500 bhp, which were installed before April 5, 1983, and not located at major stationary sources. These engines will continue to be exempt from permit requirements.

94. WRITTEN COMMENT

The proposed changes to Rule 11 would eliminate an exemption for internal combustion engines that are part of a permitted process. Will a new permit be required for such engines if they are already listed and described on the permit for an associated process?

DISTRICT RESPONSE

No. The purpose of the existing wording was to clarify that such equipment does not require a separate permit to operate, but should be included with the permit to operate the specified process. The existing language was not intended to exempt such engines from permit requirements. This language was confusing and is no longer needed.

95. WRITTEN COMMENT

Can an engine that is now used in connection with a permitted process, but which is not described on the permit for that process, satisfy the requirement for an initial permit by being added to the description of the existing permitted process?

DISTRICT RESPONSE

Yes. Please see the District's response to Comment # 76.

96. WRITTEN COMMENT

How will fees be determined for engines that are added to existing process permits?

DISTRICT RESPONSE

The fees will be determined in cooperation with the joint industry/District Air Pollution Permit Streamlining (APPS) Committee.

97. WRITTEN COMMENT

A specific exemption should be added for the pre-delivery testing of customer engines and other equipment, where such testing occurs at a permitted test station and is within the terms of the permit for that station.

DISTRICT RESPONSE

The emissions from such engines appear to be accounted for within the scope of permitted test station, therefore a separate permit to operate would not be required.

98. WRITTEN COMMENT

New Subsection (d)(B)(5) lowers the threshold for permit exemption for certain fuel burning equipment from 50 to 5 million BTU per hour, to reflect applicability of Rule 69.2. But Rule 69.2 applies only to boilers, process heaters, and steam generators, as defined in that rule. Other combustion

equipment is not subject to Rule 69.2; therefore, the permit exemption threshold for this other equipment should remain at 50 million BTU per hour.

DISTRICT RESPONSE

The District agrees. A new exemption in Subsection (d)(B) has been added for other combustion equipment sources which are not subject to Rule 69.2 as suggested. The current permit exemption threshold of 50 million BTU per hour will be reviewed for consistency with New Source Review Requirements during Phase 2 of the Rule 11 amendments.

99. WRITTEN COMMENT

Preservative oil dip tanks have a low potential to emit, but they are increasingly important as increased use of aqueous cleaning leaves surfaces subject to corrosion. A specific exemption should be provided, with appropriate conditions and limitations, for preservative oil dip tanks.

DISTRICT RESPONSE

Preservative oil dip tanks can be a significant source of VOC emissions if large amounts of preservative oil are used. The District's intent is to consider this issue further in Phase 2 of the Rule 11 revisions and determine an appropriate limit on the consumption of low volatility materials as the basis for exemption from permit requirements.

100. WRITTEN COMMENT

The District should clarify that the exemption in Subsection (d)(O)(5) is applicable to coating operations and not only to coating equipment.

DISTRICT RESPONSE

The District agrees. Subsection (d)(O)(5) has been revised as suggested.

101. WRITTEN COMMENT

A specific exemption should be provided in Rule 11 for solvent wipe cleaning operations that are exempt from Rule 67.6(d).

DISTRICT RESPONSE

The District does not agree with this suggestion at the present time. Some facility-wide wipe cleaning operations are subject to District prohibitory rules and can be a significant source of emissions. The District is currently not requiring permits for these types of operations until an exemption level can be determined. The District intends to address this issue in Phase 2 of the Rule 11 amendments.

102. WRITTEN COMMENT

A specific exemption should be provided for electric air compressors.

DISTRICT RESPONSE

The District disagrees. Electric air compressors are not a source of air contaminants, therefore no permit is required pursuant to Rule 10.

103. WRITTEN COMMENT

To minimize the need for specific exemptions, the District should continue to work towards the addition of a de minimis exemption provision to Rule 11 that does not require case-by-case District review and certification.

DISTRICT RESPONSE

The District generally disagrees with this recommendation at the present time. However, the District will give further consideration to this issue in Phase 2 of the Rule 11 amendments.

104. WRITTEN COMMENT

The District should continue to work toward a permit notation system or a voluntary exempt unit registration process, to record determinations or verifications that a unit is exempt from permit requirements.

DISTRICT RESPONSE

The District agrees. This type of system should be implemented within the next two years.

105. WRITTEN COMMENT

The District fee for issuing a Certificate of Exemption under new Subsection (d)(S)(18) should be specified at some low level.

DISTRICT RESPONSE

The District agrees. It is anticipated that a fee of \$150 will be required for evaluating a request for a Certificate of Exemption. This issue will be addressed by the Air Pollution Permit Streamlining Committee over the next few months and should be reflected in Phase 2 of revisions to District Rule 40 scheduled for 1996.

106. WRITTEN COMMENT

The South Coast Air Quality Management District exempts cleaning equipment using solvents with an initial boiling point of 302°F or greater from permit requirements. San Diego District should reconsider what boiling point threshold is appropriate for exemption purposes. Basing solvent exemption levels on a threshold established to address diesel fuel storage may not be appropriate.

The District should also consider an additional exemption based on vapor pressure. Some solvents with boiling points of less than 400° have very low vapor pressures.

DISTRICT RESPONSE

The use of low volatility solvents (with high boiling points or low vapor pressures) can result in significant emissions depending on solvent consumption. As was stated in the response to Comment # 65, the District plans to consider these issues in Phase 2 of the Rule 11 amendments to determine possible exemptions for low volatility solvents based on their usage.

107. EPA COMMENT

Subsection (a)(4) does not apply to any equipment, operation or process which emits more than 100 lbs per day (18.25 tons per year) of PM₁₀ and/or lead. EPA is concerned that this rule would exempt some important modifications from the Prevention of Significant Deterioration (PSD) permit requirements. For example, if an existing major stationary source proposes a new emissions unit that would increase PM₁₀ and/or lead emissions by 99 lbs per day, the modification would be exempt under Rule 11. If, however, this new emissions unit is operated for a 365 day year, the significant increase in PM₁₀ and/or lead emissions would require a PSD permit. In addition, this portion of Rule 11 is in direct conflict with the definition of PSD Modification in Rule 20.1.

DISTRICT RESPONSE

Subsection (a)(4) does not exempt emissions units from the District's permit requirements as the comment suggests and therefore is not in direct conflict with the definition of PSD modifications in Rule 20.1. This subsection simply states that any equipment, operation or process is not exempt from permit requirements if it emits more than 100 lbs per day of any criteria pollutant.

108. EPA COMMENT

The definition of "Portable Emission Unit" in the District NSR Rule 20.1 references Rule 20.2 and 20.3 which have not been submitted to EPA for inclusion in the SIP. This reference to rules not submitted as a SIP revision should be removed from the definition.

DISTRICT RESPONSE

The definition for "Portable Emission Unit" has been modified and no longer references the definition in Rule 20.1.

109. EPA COMMENT

A statement that the unit cannot be used to propel a vehicle nor operate while moving should be included in the definition of "Portable Emission Unit".

DISTRICT RESPONSE

The District disagrees. Emission units which are used to propel vehicles are clearly exempt from permit requirements pursuant to Subsection (d)(A)(1), therefore no advantage is gained by being classified as a portable emission unit. Whether or not a portable emission unit is operating while moving has no bearing on its classification as a portable emission unit, therefore no changes will be made to the currently proposed definition.

110. EPA COMMENT

The definition of "Stationary Source" in Rule 20.1 should be expanded to include the federal definition of "building, structure, facility or installation" and a statement that polluting activities shall be considered as part of the industrial grouping if they belong to the same Major Group (two-digit SIC code) as described in the SIC Manual.

DISTRICT RESPONSE

The District disagrees. The current definition of "Stationary Source" provided in Rule 20.1 is already more inclusive than the recommended one. Therefore no changes will be made to the currently proposed definition.

111. EPA COMMENT

The VOC definition does not include ethane in the list of exempt compounds. This is critical since excluding ethane means that a source of ethane emissions could be required to obtain VOC offsets when constructing a new or modifying a major source of VOC's. In addition, offsets based on ethane emissions could be created and be used to mitigate emissions from VOC sources. Because EPA considers ethane to be an exempt compound, EPA cannot allow reductions of ethane to mitigate VOC emissions.

DISTRICT RESPONSE

The issues raised by this comment regarding the possible use of ethane emissions to offset VOC emissions pursuant to District Rule 20.1 have no bearing on sources which may be exempt from permit requirements pursuant to Rule 11. VOC is defined in Rule 11 for the purposes of determining compliance with exemption provisions which are based on VOC emission limitations. Within the context of Rule 11, the currently proposed definition which references Rule 20.1 is appropriate and accordingly no changes will be made. It should be noted that the California Air Resources Board currently considers ethane a VOC and therefore, the District is required to do likewise.

112. EPA COMMENT

It appears that it is the District's intention to exempt from Rule 10 Permit Requirements all of the emission units listed in Section (d). The District might not require source owners/operators to include the emissions from these units in major source or major modification applicability determinations pursuant to Rule 20.1. Therefore, EPA recommends adding a statement at the beginning of the rule that requires the applicant to include emissions from all exempt emissions units when determining whether New Source Review for major sources applies to a new or modified source.

DISTRICT RESPONSE:

The District disagrees. Issues related to major source or major modification determinations should be addressed in District Rule 20.1, which is the applicable rule for such determinations. It is presumed that EPA will make this comment relative to their review of the District's NSR rules and that this issue will be addressed and resolved in the context of those rules. Therefore no statement regarding this issue will be included in Rule 11.

**AIR POLLUTION CONTROL DISTRICT
SAN DIEGO COUNTY**

**EXISTING RULE 11 IS REPEALED IN ITS ENTIRETY AND
NEW PROPOSED RULE 11 IS ADDED**

REFERENCE COPY SHOWING CHANGES

RULE 11. EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS

INDEX OF EXEMPTION CATEGORIES AS LISTED IN SECTION (d)

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RULE 11. EXEMPTIONS FROM RULE 10 PERMIT REQUIREMENTS

(a) APPLICABILITY

~~An Authority to Construct and a Permit to Operate shall not be required for any of the following equipment unless the Air Pollution Control Officer determines that the equipment violates Rule 51 of the District Rules and Regulations. When the Air Pollution Control Officer makes such a determination and written notification is given to the equipment owner or operator, the equipment shall thereafter be subject to permit requirements unless exempted by State law. Equipment required to have a permit under this provision shall not be required to be permitted for longer than two years provided no further violations are recorded.~~

- ~~(1) This rule is applicable to any article, machine, equipment or other contrivance which would otherwise be subject to Rule 10.~~
- ~~(2) Nothing This rule in the following exemptions shall not exempt preclude the equipment, operations or processes described in Section (d) from meeting all other applicable requirements of these Rules and Regulations. [OLD 2 nd paragraph]~~
- ~~(3) This rule shall not apply to any equipment, operation or process which violates Rule 51 as determined by the Air Pollution Control Officer (APCO). When the APCO makes such a determination and written notification is given to the owner or operator, the equipment, operation, or process may thereafter be subject to Rule 10. If no additional violations of Rule 51 are determined over a two-year period, a permit may no longer be required. [OLD 1st paragraph]~~

~~It is the responsibility of a person claiming an exemption under this rule to maintain and provide all data and/or records necessary to demonstrate the exemption is applicable. This information shall be made available to the District upon request.~~

- ~~(4) This rule shall not apply to any equipment, operation or process which emits more than 100 lbs per day of any of the following single criteria air pollutants: Particulate Matter (PM₁₀), Oxides of Nitrogen (NO_x), Volatile Organic Compounds (VOC), Oxides of Sulfur (SO_x), Carbon Monoxide (CO), or Lead (Pb). [OLD (d) 1st paragraph-expanded]~~

~~(d) The following equipment, provided the emissions of organic compounds, as defined in Rule 20.1, or particulate matter from the equipment do not exceed 100 pounds per day of either pollutant, or construction of the equipment was commenced before September 26, 1984. (Rev. Effective 12/2/92)~~

(b) RESERVED

(c) DEFINITIONS

For the purposes of this rule, unless otherwise noted, the following definitions shall apply:

- (1) **"Bench Scale Laboratory Equipment"** shall mean equipment which:
- (i)(a) is under direct, immediate and exclusive control of a laboratory director, and
 - (ii)(b) is sub-scale in size, and
 - (iii)(c) is used for the sole purpose of conducting studies or tests to develop a new or improved product or service. [Old (d)(38) definition]
- (2) **"Emergency Standby Engine"** means an engine used exclusively in emergency situations to drive an electrical generator, an air compressor or a water pump.
- (3) **"Emergency Situation"** means any one of the following:
- (i) An unforeseen electrical power failure from the serving utility or of on-site electrical transmission equipment.
 - (ii) An unforeseen flood or fire, or a life-threatening situation.
 - (iii) Operation of emergency generators for Federal Aviation Administration licensed airports for the purpose of providing power in anticipation of a power failure due to severe storm activity shall be considered an emergency situation.
- Emergency situation shall not include operation for purposes of supplying power for distribution to an electrical grid, operation for training purposes, or other foreseeable events.
- (2)(4) **"Exempt Compound -Solvent"** means the same as defined in Rule 20.1.
- (3)(5) **"First-Article Deliverable Product or Service"** shall mean the first product or service which is produced using bench scale laboratory equipment and which is delivered to a potential intra-company or external customer for approval. First-article deliverable product or service shall not exceed one unit of product or service per customer. [Old (d)(38) definition]
- (4)(6) **"Operating Day"** means any calendar day during which the specified equipment is operated, or specified operations occur.

~~(5)(7)~~ **"Portable Emission Unit"** ~~means the same as defined in Rule 20.1. an~~
emission unit which is designed and equipped to be easily movable and, as installed,
easily capable of being moved from one stationary source to another, as determined
by the Air Pollution Control Officer. Portable emission units are periodically moved
and may not be located more than 180 days at any one stationary source with any
consecutive 12-month period. Days when portable emissions units are stored in a
designated holding or storage area shall not be counted towards the 180-day limit,
provided the emission unit was not operated on that calendar day except for
maintenance and was in the designated holding area the entire calendar day.

~~(6)(8)~~ **"Stationary Internal Combustion Engine"** means a spark or compression
ignited, reciprocating internal combustion engine which is not a portable emission unit.

~~(7)(9)~~ **"Stationary Source"** means the same as defined in Rule 20.1.

~~(8)(10)~~ **"Volatile Organic Compound (VOC)"** means the same as defined in Rule
20.1.

~~(9)(11)~~ **"Volatile Organic Solvent"** means an organic solvent with an initial boiling
point of less than 400°F (204°C).

(d) EQUIPMENT, OPERATIONS OR PROCESSES NOT REQUIRING A
PERMIT TO OPERATE

The Any equipment, operations or processes that is listed below in Subsections (A) through (T),
and that meets the stated operating provision, parameter, or limitation, is are exempt from the
requirements of Rule 10:

(A) Mobile Sources

(1) Any engines mounted on, within or incorporated into any vehicle, train, ship,
boat or barge, that are is used exclusively primarily to provide propulsion, but
which may also supply heat, mechanical, hydraulic or electrical power energy to
that same vehicle, train, ship, boat, or barge, or. This exemption does not
apply to equipment located onboard floating dry docks.
This exemption is not intended to apply to equipment used for the dredging of
waterways, to floating dry docks, or to equipment used in pile driving adjacent
to or in waterways. [OLD (a) 1st part]

(2) Railway sweepers used for cleaning rail tracks. [OLD (d)(47)]

(B) Combustion and Heat Transfer Equipment

- (1) Any piston-type internal combustion engine s of less than 50 with a manufacturer's output rating of less than 50 brake horsepower. [OLD (d)(1)(iii)]
- (2) Piston-type stationary internal combustion engines, each with a manufacturer's output rating of 50 brake horsepower or greater, whose total combined manufacturer's rating is 200 brake horsepower or less, and which are all located at a single stationary source. This exemption does not apply to engines located at a major stationary source of NO_x emissions, as defined in Rule 20.1. Any combination of piston type engines at one source, with a total maximum power output of less than 200 brake horsepower; [OLD (d)(1)(ii)-modified to exclude major sources]

~~Piston type engines of greater than 500 brake horsepower which were installed before August 1, 1980;~~ [OLD (d)(1)(iv)]

~~Any combination of piston type engines at a stationary source, as defined in Rule 20.1, with a total maximum power output equal to or greater than 200 brake horsepower and less than 500 brake horsepower, for which construction commenced prior to (March 27, 1990);~~ [OLD (d)(1)(v)]

~~Non-electrical generating piston type engines with a maximum power output of less than 500 brake horsepower, when part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations;~~ [OLD (d)(1)(vi)]

~~Any combination of piston type engines for which construction commenced before April 5, 1983 provided all engines in the combination are less than 500 brake horsepower;~~ [OLD (d)(1)(vii)]

- (3) Any engine that are is used exclusively to load or unload cargo. For the purposes of this exemption, cargo shall not include the removal or relocation of sand, Sand, rock, silt, soil or other materials from dredging operations, which come from the bottom of a body of water shall not be considered cargo. [OLD (a) 2nd part]
- (4) Any gas turbine engine which is fired exclusively with JP-5 fuel, natural gas and/or liquefied petroleum gas and has:
- (i) an output power rating of less than 0.3 megawatt (MW), or
 - (ii) a maximum gross heat input rating at ISO Standard Day Conditions of less than 1 million BTU per hour. [NEW based on Rule 69.3]

Gas turbines with a maximum heat input at ISO Standard Day Conditions of less than 5 million British Thermal Units per hour fired exclusively with natural gas and/or liquefied petroleum gas; [OLD (d)(1)(viii)]

Gas turbines with a maximum heat input of less than 10 million British Thermal Units per hour fired exclusively with natural gas and/or liquefied petroleum gas for which construction commenced before (March 27, 1990); or [OLD (d)(1)(ix)]

Gas turbines with a maximum heat input of less than 50 million British Thermal Units per hour fired exclusively with natural gas and/or liquefied petroleum gas installed before October 2, 1977. [OLD (d)(1)(x)]

(5) Any boiler, process heater or steam generator other combustion equipment with a manufacturer's maximum gross heat input rating of less than:

- (i) 1 million BTU per hour, and which is fired with any fuel, or
- (ii) 5 million BTU per hour and which is fired exclusively with natural gas and/or liquefied petroleum gas.

This exemption does not apply to piston-type internal combustion or gas turbine engines.

(6) Combustion equipment with a manufacturer's maximum gross heat input rating of less than 50 million BTU per hour and which is fired exclusively with natural gas and/or liquefied petroleum gas. This exemption does not apply to any boiler, process heater, steam generator, piston-type internal combustion engine or gas turbine engine.

Fuel burning equipment, except internal combustion engines, with a maximum gross heat input rate of less than one million British Thermal Units (0.252×10^6 Kcal) per hour when not part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is required by these Rules and Regulations. [OLD (d)(4)(i)]

Fuel burning equipment, except steam boilers and internal combustion engines, with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, and fired exclusively with natural gas, liquefied petroleum gas or a combination of natural gas and liquefied petroleum gas. [OLD (d)(4)(ii)]

Steam boilers with a maximum gross heat input of less than 50 million British Thermal Units (12.6×10^6 Kcal) per hour, if construction commenced prior to (March 27, 1990), and fired exclusively with natural gas, liquefied petroleum gas or a combination of natural gas and liquefied petroleum gas. [OLD (d)(4)(iii)]

~~Any combination of steam boiler equipment at one stationary source, as defined in Rule 20.1, with a total maximum gross heat input rate of less than 20 million British Thermal Units (7.6×10^6 Kcal) per hour, if construction commenced on or after (March 27, 1990) and fired exclusively with natural gas, liquefied petroleum gas or a combination of natural gas and liquefied petroleum gas. [OLD (d)(4)(iv)]~~

~~(6)(7)~~ Motor vehicle engines, except as provided in Section (a), Portable pile drivers (except for Diesel pile driving hammers), and construction cranes that are routinely dismantled and transported to non-contiguous locations for temporary use.; This exemption does not apply to diesel pile driving hammers. [OLD (d)(1)(i)]

~~(7)(8)~~ Portable aircraft engine test stands which were constructed before November 4, 1976. [OLD (d)(3)]

~~(8)(9)~~ Back-pack power blowers. [OLD (k)]

~~(9)(10)~~ Orchard or citrus grove heaters. [OLD (d)(40)]

~~(10)(11)~~ Any oOvens having an internal volume of 27 cubic feet (0.765 cubic meter) or less, ~~in which organic solvents or materials containing organic solvents are charged.~~ [OLD (d)(44)]

~~(11)(12)~~ Curing or baking ovens in which no volatile organic solvents or materials containing volatile organic solvents are introduced charged. [OLD (p)(9)]

~~(12)(13)~~ Any oOvens used exclusively for the curing, softening or annealing of plastics.

~~(13)(14)~~ Any oOvens which are is an integral part of a process, process line, line, equipment, article, machine or other contrivance for which a Permit to Operate is not required pursuant to this rule. [OLD (d)(8) part 2]

~~Ovens, if only part of one or more processes which require a permit pursuant to Rule 10 or which are exempt from a requirement for a Permit to Operate pursuant to this rule.~~

(C) Structures and Structural Modifications

(1) Equipment ~~utilized~~ used exclusively in support of ~~connection with~~ any structure, which is designed for and used exclusively as a dwelling for not more than four families. [OLD (b)]

- (2) ~~Structural changes~~ modifications which cannot change the quality, nature or quantity of air contaminant emissions. [OLD (l)]

(D) Laboratory Equipment and Related Operations

- (1) Laboratory testing equipment and quality control testing equipment, used exclusively for chemical and physical analysis. [OLD (d)(38) part 1]
- (2) Vacuum-producing devices used in laboratory operations. [OLD (p)(13) part 1]
- (3) Hoods, stacks or ventilators. ~~Natural draft hoods, natural draft stacks or natural draft ventilators.~~ [OLD (p)(14)]
- (4) Non-production bench scale equipment used for research and development provided:
- (i) such equipment is not used to directly produce a deliverable product or service, other than the first-article deliverable product or service, and
 - (ii) the uncontrolled emissions of VOC's from such equipment do not exceed an average of five pounds per operating day for each calendar month, and
 - (iii) such equipment does not emit any Acutely Hazardous compounds as defined in Section 25532 of the California Health and Safety Code, and
 - (iv) that all data and/or records which are necessary to demonstrate that this exemption is applicable, shall be all records needed to calculate the average daily VOC emissions, such as District approved emission factors, VOC content of each material used, number of days of operation per calendar month, and daily or monthly usage records of material usage, are maintained on-site for two years and are made available to the District upon request. [OLD (d)(38) part 2-clarified]

~~Laboratory equipment used exclusively for chemical or physical analyses and bench scale laboratory equipment provided such bench scale equipment is not used for production purposes to directly produce a deliverable product or service, other than the first article product or service, and provided the emissions of organic compounds, as defined in Rule 20.1, from such bench scale equipment do not exceed five (5) pounds per day, and provided such bench scale equipment does not emit detectable levels of compounds listed as Acutely Hazardous by Section 25532 of the California Health and Safety Code.~~

- (5) Peptide synthesis operations which emit less than an average of five pounds of VOC's per operating day for each calendar month. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request. [OLD (i)(7)]

(E) Replacement Equipment

- (1) Identical replacement in whole or part of any article, machine, equipment or other contrivance for which a where Permit to Operate had ~~has~~ previously been granted for such equipment under Rule 10. Identical means the same manufacturer, model number, and type. [OLD (n) part 1]
- (2) Replacement in whole or part of any article, machine, equipment or other contrivance where a Permit to Operate has previously been granted for such equipment, and the Air Pollution Control Officer determines that the replacement equipment meets the following requirements:
- (i) is identical in function, and
 - (ii) is similar in design, and
 - (iii) the actual air contaminant emissions are the same in nature, and
 - (iv) has a capacity, production rate, and actual air contaminant emissions which are equal to or less than the currently permitted equipment. [OLD (n) part 2]

~~Identical replacement may also include replacement in whole or part of any article, machine, equipment or other contrivance where a Permit to Operate has previously been granted for such equipment which the Air Pollution Control Officer determines is identical in function, capacity, production rate and design. In addition, the actual air contaminant emissions must be the same in nature and will not be increased.~~

In order to claim the applicability of this Subsection (E)(2), written notification of the proposed equipment replacement, the information required to make the determinations listed above, and a fee of \$75 must be submitted to the District. Written authorization must be granted by the District for each piece of replacement equipment prior to replacing any equipment under Subsection (E)(2). [OLD (n) part 2]

~~Written notification of such replacement shall be made to the District at least thirty (30) days prior to the replacement and shall be accompanied by a fee of \$75.~~

The provisions of Section (E) shall not apply to the following:

- (a) Replacement of equipment pursuant to other requirements of these Rules and Regulations ~~shall not be considered an identical replacement.~~ [OLD (n) part 2]
- (b) ~~Identical replacement does not include r~~ Replacements equipment which in whole or part, that in sum would constitute reconstruction or modification under District Regulation X - Standards of Performance for New Stationary Sources, or would constitute a major source, as defined in District Rule 20.1. [OLD n part 3]
- (c) Rim seal replacements for bulk gasoline floating roof tanks subject to the Best Available Control Technology (BACT) requirements of Rule 61.1.

(F) Plant Support Equipment

The exemptions listed in this Subsection (F) shall not apply to any combustion equipment unless the combustion equipment is also exempt pursuant to Subsection (d)(B) of this rule.

- (1) Vacuum cleaning ~~devices~~ systems used exclusively for housekeeping purposes. [OLD (j)]
- (2) Equipment used exclusively for C comfort air conditioning or comfort ventilation ~~ing~~ systems, and which are ~~is~~ not designed ~~or used~~ to remove air contaminants generated by or released from, specific ~~units or~~ equipment. [OLD (p)(16)]
- (3) Refrigeration units except those used as, or in conjunction with, air pollution control equipment. [OLD (p)(17)]
- (4) Equipment used exclusively to compress or hold dry natural gas. [OLD (p)(21)]
- (5) Vacuum-producing devices used ~~in laboratory operations or~~ in connection with other equipment ~~which is exempt by Rule 11. not requiring a Permit to Operate pursuant to this rule.~~ [OLD (p)(13) part 2]

- (6) Equipment used exclusively for space heating, other than boilers. [OLD (p)(18)]
- (7) Water cooling towers and water cooling ponds ~~which are not~~ used for evaporative cooling of water utilized solely in heat transfer processes, but not evaporative cooling of:
 - (i) process water (e.g., contaminated water or industrial wastewater), or
 - (ii) ~~not used for evaporative cooling of water, contaminated water or industrial waste water,~~ from barometric jets or from barometric condensers. [OLD (d)(2)]

(G) Metallurgical Processing Equipment--General

- (1) ~~Non-automated Hand soldering equipment and solder screen processes.~~ [OLD (d)(19) part 1]
- (2) ~~Solder-screen means these processes and associated infrared soldering ovens, which use a process similar to silk-screening in order to apply the solder paste, and which subsequently undergo a reflow process other than a vapor phase solder reflow process.~~ [OLD (d)(19) part 2]
- (3) Solder levelers, hydrosqueegees, wave solder machines, and drag solder machines which use less than an average of 10 lbs of any material containing VOC's per operating day for each calendar month. The number of operating days per calendar month, monthly purchase records, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request.
- (4) Brazing, and welding equipment, including arc welding equipment. [OLD (d)(18)]
- (5) Molds used for the casting of metals. [OLD (d)(12)]
- (6) Foundry sand mold forming equipment. This exemption does not apply if except those to which heat, sulfur dioxide or volatile organic material compounds are is applied. [OLD (d)(13)]

- (7) Forming equipment used exclusively for forging, rolling, or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing. [OLD (d)(6) -part 1]
- (8) Metallizing guns where the metal being sprayed is in wire form. ~~except electric arc spray guns, where the metal being sprayed is in wire form. This exemption does not apply to electric arc spray guns if the metal being sprayed is in wire form.~~ [OLD (d)(17)]
- (9) Tumblers used for the cleaning or deburring of metal products without abrasive blasting. [OLD (d)(16)]
- (10) Shell-core and shell-mold manufacturing machines. [OLD (d)(11)]
- (11) Extrusion equipment used exclusively for extruding metals, or minerals, ~~or plastic~~ ~~except~~ This exemption does not apply to coking extrusion equipment or processes which manufacture products containing greater than one percent asbestos fiber by weight. [OLD (d)(5)]
- (12) Shot peening ~~eabinets~~ operations where only steel shot is employed and no surface material such as scale, rust, or old paint is being removed. [OLD (d)(14)]
- (13) ~~Titanium~~ Chemical milling of titanium, and titanium alloys which do not contain any hazardous air pollutants, at temperatures below 110°F (43°C). [OLD (d)(39)]
- (14) Chemical milling of niobium (columbium), and niobium alloys which do not contain any hazardous air pollutants, using nitric or hydrofluoric acids at temperatures below 110°F (43°C). [NEW-PDL]
- (15) Oil quenching tanks which use less than 20 gallons per year of make-up oil. Monthly purchase records and daily or monthly usage records of all materials added must be maintained on site to claim applicability of this exemption.
- (16) Salt bath quenching tanks.

(H) Metallurgical, Glass and Ceramic Processing Equipment--Using Furnaces, Kilns and Ovens

- (1) Crucible-type furnaces or pot-type furnaces with a brimful capacity of less than 450 cubic inches of any molten metal. [OLD (d)(9)]

(2) Crucible furnaces, pot furnaces or induction furnaces;

- (i) each with a brimful capacity of 2,500 cubic inches or less, each, and in which
- (ii) where no sweating or distilling is conducted, and from which only non-ferrous metals, except yellow brass, are poured or held in a molten state.
- (iii) where only the following materials are poured or held in a molten state:
 - (a) Aluminum or any alloy containing over 50 percent aluminum.
 - (b) Magnesium or any alloy containing over 50 percent magnesium.
 - (c) Tin or any alloy containing over 50 percent tin.
 - (d) Zinc or any alloy containing over 50 percent zinc.
 - (e) Copper or any alloy containing over 50 percent copper.
 - (f) Precious metals, or
 - (g) Glass.

This exemption does not apply if any of the materials contain alloying elements of arsenic, beryllium, cadmium, chromium, lead and/or nickel. [OLD (d)(10)]

- (3) Equipment used exclusively for the sintering of glass or metals (excluding lead), where no coke or limestone is used. [OLD (d)(20)]
- (4) Equipment used exclusively for forging, pressing, rolling or drawing of metals or for heating metals immediately prior to forging, pressing, rolling or drawing. [OLD (d)(6) part 2]
- (5) Furnaces Any oven used exclusively for heat treating glass or metal, if the materials are not heated to a molten state, and the furnace oven is heated exclusively by natural gas, liquefied petroleum gas, and/or electricity. Natural gas-fired or liquefied petroleum gas-fired or electrically heated furnaces for heat treating glass or metals, the use of which does not involve molten materials. [OLD (p)(15)]
- (6) Atmosphere generators and vacuum producing devices used in connection with metal heat treating processes. [OLD (d)(21)]
- (7) Die casting machines. [OLD (d)(15)]

- (8) Kilns used exclusively for firing ceramic ware, heated exclusively by with natural gas, liquefied petroleum gas, and/or electricity ~~or any combination thereof~~. [OLD (p)(22)]

(I) Abrasive Blasting Equipment

The exemptions listed in Subsection (I) shall not apply:

- (a) to any combustion equipment unless the combustion equipment is also exempt pursuant to Subsection (d)(B) of this rule, or
- (b) The exemptions listed in this Subsection (I) shall not apply if asbestos containing materials are being removed.
- (1) Blast cleaning equipment using a suspension of abrasive in water. [OLD (d)(29)]
- (2) Abrasive blast cabinets or rooms which are vented through a control device and into the buildings ~~in which~~ where such cabinets or rooms are located. [OLD (d)(28)]
- (3) Abrasive blasting equipment with a manufacturer's ~~rated~~ sand capacity rating of ~~less than~~ 100 pounds or less (45.4 kg), or 1 cubic foot or less. [OLD (d)(27)]

(J) Machining Equipment

- (1) Equipment used for buffing, ~~(except automatic or semi-automatic tire buffers), or polishing, carving, cutting, deburring, drilling, machining, routing, shearing, sanding, sawing, surface grinding, or turning of; ceramic artwork, ceramic precision parts, leather, metal s, rubber, fiberboard, masonry, or non-~~ fiberglass reinforced plastic. This exemption does not apply to tire buffers. except fiberglass reinforced plastics unless the process involves the use of water or a control device and there are no visible emissions from the process. [OLD (d)(30), non-fiberglass]
- (2) Wet-jet devices used to cut fiberglass reinforced plastic. [OLD (d)(30), fiberglass]
- (3) Portable H handheld equipment used for buffing, polishing, carving, cutting, drilling, machining, routing, sanding, sawing, surface grinding or turning of

fiberglass reinforced plastic, when not used at a designated workstation, booth or room. [OLD (d)(31)]

- (4) Equipment used for carving, cutting, drilling, surface grinding, planing, routing, sanding, sawing, shredding or turning of wood. [OLD (d)(32) part 1]
- (5) Equipment used for, or the pressing or storing of sawdust, wood chips or wood shavings. [OLD (d)(32) part 2]
- (6) Equipment used exclusively to mill or grind coatings or molding compounds where all materials charged introduced are in the a paste form. [OLD (p)(3)]

(K) Printing and Reproduction Equipment

- (1) Any graphic arts operation or group of graphic arts operations located at a stationary source, which emit less than an average of 15 pounds of VOC's per operating day for each calendar month from all such operations. All records necessary to calculate average daily VOC emissions, such as emission factors or mix ratios, VOC content of each material used, number of operating days per month, and daily or monthly records of material usage, shall be maintained on-site for three years and be made available to the District upon request.

~~All printing or graphic arts presses located at a stationary source, as defined in Rule 20.1, which emits a total of less than 15 lbs of volatile organic compounds, subject to Rule 67.16, on each day of operation. It is the responsibility of any person claiming this exemption to maintain all usage records including any mixing ratios, necessary to establish maximum daily emissions and to make this information made available to the Air Pollution Control Officer upon request.~~ [OLD (d)(7)]

- (2) Lithographic laser printing equipment which uses laser printing.
- (3) Ink cartridge filling, refilling and/or refurbishing operations. [NEW-PDL]

(L) Food Processing and Preparation Equipment

- (1) Equipment used exclusively to grind, blend or package tea, cocoa, spices or roasted coffee. [OLD (d)(35)]
- (2) Equipment, other than boilers, used for preparing food for human consumption and located at eating establishments, bakeries and confectioneries which is used exclusively for preparing food for human consumption at the same establishment. This exemption does not apply to boilers. [OLD (d)(36)]

- (3) Coffee roasting equipment with a manufacturer's rating of 15 pounds per hour or less. [NEW-PDL]
- (4) Any bakery oven which is located at a stationary source where the combined rated heat input capacity of all bakery ovens is less than 2 million BTU per hour. [NEW-67.24]
- (5) Any bakery oven used exclusively to bake non-yeast-leavened products.

(M) Plastics, Foam and Rubber Processing Equipment or Operations

- (1) Extrusion equipment used exclusively for extruding rubber products or plastics where no organic additives are present. [OLD (d)(5), plastics-expanded]
- (2) Equipment used for compression molding and/or injection molding of plastics. [OLD (d)(45)]
- (3) Mixers, roll mills and calendars for rubber or plastics, where no material in powder form is added and no volatile organic solvents, ~~diluents or thinners~~ are used. [OLD (p)(10) & (p)(12) combined]
- (4) Equipment used exclusively for conveying and storing plastic pellets materials. [OLD (p)(7)]

~~The following uncontrolled equipment or processes using materials containing volatile organic compounds, as defined in Rule 20.1, when the emissions of organic compounds, as defined in Rule 20.1, from the equipment or process do not exceed five pounds in any one day:~~
[OLD (i) intro]

- (5) Foam manufacturing or foam application operations which emit less than an average of five pounds of VOC's per operating day for each calendar month. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request. [OLD (i)(1)]
- (6) Plastics manufacturing or fabrication operations, including reinforced plastic fabrication operations using materials such as epoxy and/or polyester resins, which emit less than an average of five pounds of VOC's per operating day for each calendar month. All records necessary to calculate average daily VOC

emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request. [OLD (i)(2) & (3)]

(N) Mixing, Blending and Packaging Equipment

- (1) Dry batch mixers with a rated working capacity of 0.5 cubic yards (0.38 cubic meters) ~~rated working capacity or less.~~ ~~Dry batch means where~~ material is added in a dry form prior to the introduction of a subsequent liquid fraction or ~~when where~~ no liquid fraction is added. [OLD (d)(22)]
- (2) Wet ~~B~~ batch mixers with a rated working capacity (~~wet~~) of 1 cubic yard (0.765 cubic meters) ~~capacity or less, where no volatile organic solvents, diluents or thinners are used.~~ [OLD (d)(23)]
- (3) Equipment used exclusively for the manufacture of water emulsions of asphalt, greases, oils or waxes. [OLD (p)(6)]
- (4) Equipment used exclusively for the packaging of lubricants or greases. [OLD (d)(24)]
- (5) Equipment used at ambient temperatures exclusively for the mixing and blending of materials at ambient temperature which are used to make water-based adhesives. [OLD (p)(8)]
- (6) Any ink mixing tank or group of ink mixing tanks located at a stationary source, which emit less than an average of 15 pounds of VOC's per operating day for each calendar month from all such tanks. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request. [OLD (i)(4)]

(O) Coating Application Equipment and Operations

- (1) ~~Equipment used for Powder coating operations, where less than 0.5 gallons per day of any surface preparation or cleaning material containing volatile organic compounds are used. Monthly purchase and daily or monthly usage records of surface preparation and cleaning materials shall be maintained on-site for three~~

years and made available to the District upon request. This exemption does not apply to except metallizing gun operations.

~~where emissions of volatile organic compounds are less than one pound per day. The person claiming this exemption must keep daily usage records, and all data necessary to establish maximum daily emission level. This information must be made available immediately upon request. [OLD (d)(48) incorporates Rule 67.3 change]~~

(2) Application equipment and processes used exclusively to apply for architectural surface coatings subject to as defined in Rule 67.0 -- Architectural Coatings.
[OLD (g)]

(3) Any coating operation (portable or stationary) where 20 gallons or less of liquid coatings are applied per consecutive 12-month period. Monthly purchase records and daily or monthly usage records of all coatings applied must be maintained on-site for three years to claim applicability of this exemption. The volume of coatings applied using non-refillable handheld aerosol spray containers shall not be included when determining the applicability of this exemption. [OLD (h)(1) modified]

~~Liquid surface coating application operations Conducted within an application station (portable or stationary) where not more than 20 gallons per year of material containing organic compounds are applied. It is the responsibility of any person claiming this exemption to maintain purchase and daily usage records, including any mixing ratios, necessary to substantiate the claim. Coatings applied by means of non-refillable aerosol cans shall not be included in the annual usage determination for purposes of determining the 20-gallon per year limit stated above; [OLD (h)(1)]~~

(4) Coatings operations which exclusively use using non-refillable handheld aerosol spray cans containers. for application of coatings; [OLD (h)(2)]

(5) Coating operations which occur Application equipment used to apply coatings
Conducted outside defined coating areas for the purpose of touch-up or
maintenance of stationary equipment or touchup operations.; [OLD (h)(3)]

(6) Coating application equipment located at Conducted in primary or secondary schools and used exclusively for instruction. [OLD (h)(6)]

(7) Liquid surface coating application operations which exclusively use using hand-held brushes to apply wet fastener primer coatings for application of a primer coating from containers of which are eight (8) ounces (236.6 milliliters) or less in size, to fasteners to be installed on aerospace component parts; [OLD (h)(4)]

(8) Liquid surface coating application operations which exclusively use using air brushes with a coating capacity of two (2) ounces (~~59.1 milliliters~~) or less for the application of a stencil coating.; [OLD (h)(5)]

(9) Any liquid surface coating operation which:

(i) exclusively uses materials with a VOC content of less than 20 grams per liter, less water and exempt solvents, and

(ii) is located at a stationary source where less than an average of 30 gallons of such materials are applied per operating day for each calendar month.

Records of daily or monthly material usage, the number of operating days per calendar month, and the VOC content of each material used, shall be maintained on-site for two years and be made available to the District upon request.

(P) Solvent Application Equipment and Operations

(1) Equipment used using exclusively aqueous solutions not containing volatile organic compounds, as defined in Rule 20.1, in excess of 10 percent by weight for surface preparation, and cleaning, anodizing, plating, polishing, stripping or etching, if:(i) the volatile organic compound content of the liquid material does not exceed 10% by weight, or,

(ii) the liquid material is used at ambient temperatures and has an initial boiling point of 400°F (204°C), or greater.

This exemption does not apply to except acid chemical milling, chrome plating, chromic acid anodizing, or the stripping of chromium.

This exemption also does not apply to or copper etching operations which use using ammonium hydroxide, ammonium chloride, or concentrated solutions of nitric, hydrofluoric and/or hydrochloric acids which contain more than exceeding 17 percent acid concentration by weight. [OLD (d)(37)]

(2) Cold solvent cleaning tanks, vapor degreasers and paint stripping tanks:

(i) with a liquid surface area of 1.0 square foot (~~0.09 square meter~~) or less,
or

- (ii) which have a maximum capacity of one gallon or less, used for the employment or application of organic solvents or materials containing organic solvents. [OLD (d)(46)]
 - (3) Batch-type waste solvent recovery stills with a batch capacity of 7.5 gallons or less, for on-site recovery of waste solvent, provided the still is equipped with a device which shuts off the heating system if the solvent vapor condenser is not operating properly. [OLD (i)(6)]
 - (4) Metal inspection tanks which:
 - (i) have a liquid surface area of less than 5 square feet, or
 - (ii) do not use volatile organic solvents, or
 - (iii) are not equipped with spray type flow devices or a means of solvent agitation.
- Equipment used for inspection of metal products, except metal inspection tanks utilizing a suspension of magnetic or fluorescent dye particles in volatile organic solvent which have a liquid surface area greater than 5 ft² and are equipped with spray type flow or a means of solvent agitation. [OLD (p)(5)]
- (5) Cold solvent degreasers used exclusively for educational purposes. [OLD (i)(5)]
 - (6) Golf grip application stations which exclusively use liquid materials with an initial boiling point of 400 450°F (204°C), or greater. [NEW-PDL]

(Q) Storage and Transfer Equipment

For the purposes of this Subsection, "Volatile Organic Compound (VOC)" means the same as defined in Rule 61.0.

- (1) Stationary storage tanks with a capacity greater than 260 gallons (984 liters), provided that such containers, reservoirs or tanks will be used exclusively to store organic compounds that which are not volatile organic compounds as defined in Rule 61.0. [OLD (e)(2)]
- (2) Stationary storage tanks with a capacity of 260 249 gallons (984 946 liters) or less, used exclusively to store volatile organic compounds. [OLD (e)(1)]

- (3) Equipment used exclusively to store and/or transfer ~~for the storage of~~ organic solvents which are liquids at standard conditions and which are ~~to be used as~~ dissolvers, viscosity reducers, reactants, extractants, cleaning agents or thinners and not used as fuels. [OLD (e)(3)]
- (4) Equipment used exclusively to store and/or transfer ~~For the storage of~~ natural gas, butane or propane when not mixed with other volatile organic compounds, other than odorants as defined in Rule 61.0. [OLD (e)(4)]
- (5) Equipment used exclusively to store and/or transfer fuels which are used exclusively as a source of fuel for wind machines used for agricultural purposes. [OLD (e)(5)]
- (6) Mobile transport, ~~tanks or delivery, tanks~~ or cargo tanks on vehicles used for the delivery of volatile organic compounds. ~~except This exemption does not apply to~~ asphalt tankers used to transport and transfer hot asphalt used for roofing applications. [OLD (f)]
- (7) Equipment used to transfer fuel to and from amphibious ships for maintenance purposes, provided total annual transfers do not exceed 60,000 gallons per year at a stationary source. [NEW-match 61.2 exemption]
- (8) Equipment used exclusively to store and/or transfer liquid soaps, liquid detergents, vegetable oils, fatty acids, fatty esters, fatty alcohols, waxes and wax emulsions.

(R) Drycleaning, Laundry Equipment and Fabric Related Operations

- (1) Non-immersion dry cleaning equipment. [OLD (d)(41)]
- (2) Lint traps used exclusively in conjunction with dry cleaning tumblers. [OLD (p)(20)]
- (3) Wastewater processing units associated with dry cleaning operations using halogenated compounds, provided the water being evaporated in the unit does not exceed 400 ppm (by weight) of halogenated compounds as determined by EPA Test Method 634. [OLD (p)(24)]
- (4) Laundry dryers, extractors or tumblers used for fabrics cleaned only with solutions of bleach or detergents containing no volatile organic solvents. [OLD (d)(43)]

- (5) Equipment used for washing or drying articles fabricated from ~~metal~~, cloth, fabric or glass, ~~provided that where no volatile organic solvents are~~ is employed in the process and ~~that no oil or solid fuel is burned and none of the products articles being cleaned has have~~ residues of volatile organic solvents, ~~as defined in Rule 66.~~ [OLD (i)(8)]

~~The exemptions in this section shall not apply to equipment required to obtain a Permit for emissions of air contaminants other than organic compounds as defined in Rule 20.1.~~ [OLD (i) close]

- (6) Equipment, including dryers, used exclusively for printing, dyeing, stripping, or bleaching of textiles where no volatile organic solvents, diluents or thinners are used. [OLD (p)(2)]
- (7) Any equipment listed above in Subsections (R)(4), (R)(5) or (R)(6) which does not emit more than an average of five pounds of VOC's per operating day for each calendar month. All records needed to calculate average daily VOC emissions, such as emission factors, VOC content of all materials used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for two years and be made available to the District upon request.

(S) Miscellaneous Equipment and Operations

- (1) Air pollution control equipment associated with any article, machine, equipment, process or contrivance not required to have a Permit to Operate. [OLD (c)]
- (2) Repairs or maintenance not involving structural changes to any equipment for which a ~~permit~~ Permit to Operate has been granted. [OLD (m)]
- (3) Roofing kettles (used to heat asphalt) with a capacity of 85 gallons (322 liters) or less. [OLD (d)(26)]
- (4) Paper shredders and ~~paper~~ disintegrators which have a capacity of 600 pounds per hour or less, and the associated conveying systems and baling equipment. [OLD (d)(33)]
- (5) Alkaline chemical milling equipment:
- (i) used exclusively for the cleaning of internal combustion engine parts, or

- (ii) for which construction or installation commenced prior to ~~(March 27, 1990), or alkaline chemical milling equipment .~~ [OLD (d)(42)]
- (6) Portable conveyors (belt or screw type) where there is no screening. [OLD (d)(25)]
- (7) Fire extinguishing equipment using halons. [NEW-PDL]
- (8) Fire fighting eEquipment used exclusively for the purposes of:
 - (i) flash-over fire fighting training, or
 - (ii) natural gas line fire extinguishing training. [OLD (p)(23)]
- (9) Equipment used exclusively for bonding lining to brake shoes, where no volatile organic solvents are used. [OLD (p)(19)]
- (10) Equipment used exclusively to liquefy or separate oxygen, nitrogen, or the inert rare gases from air. [OLD (d)(34)]
- (11) Any operation producing or blending materials for use in cosmetic or pharmaceutical products and/or manufacturing cosmetic or pharmaceutical products by chemical processes, which emit less than an average of 15 pounds of VOC's per operating day for each calendar month from all phases of all such operations located at a single stationary source. All records necessary to calculate average daily VOC emissions, such as emission factors, VOC content of each material used, number of operating days per calendar month, and daily or monthly records of material usage, shall be maintained on-site for three years and be made available to the District upon request. [OLD (p)(11)]

~~Each process line at a stationary source, as defined in Rule 20.1, for coating of pharmaceutical tablets provided maximum emissions of volatile organic compounds (defined in Rule 67.15), are below 15.0 pounds on each day for all operations subject to Rule 67.15. It will be the responsibility of any person claiming this exemption to maintain all records necessary to establish maximum daily emissions and to make this information available to the District upon request.~~ [OLD (p)(11)]

- (12) Equipment used for hydraulic or hydrostatic testing. [OLD (p)(1)]
- (13) Atmospheric organic gas sterilizer cabinets where ampules are utilized exclusively to dispense ethylene oxide gas into a liner bag and where total ethylene oxide emissions are less than five pounds per year. All records needed to substantiate the annual ethylene oxide emissions, such as emission factors

and records of material usage, shall be maintained on-site for two years and be made available to the District upon request. [OLD (p)(25)]

(14) Nail salon operations. [NEW-PDL]

(15) Equipment used exclusively for the melting or applying of wax where no volatile organic solvents, diluents or thinners are used. [OLD (p)(4)]

(16) Aerosol can puncturing or crushing operations which use:

(i) a closed loop recovery system that emits no air contaminants, or

(ii) a recovery system that vents all emissions through a properly operated and maintained carbon canister, provided not more than 500 cans are processed through the equipment per day. ~~Aerosol can crushing equipment, provided not more than 500 cans are processed through the equipment per day.~~ Throughput records of the number of cans processed shall be maintained on-site for two years and be made available to the District upon request. [NEW-PDL]

(17) Any article, machine, equipment, or contrivance ~~other than an incinerator or boiler, the which emits discharge from which~~ contains airborne radioactive materials and which is emitted into the atmosphere in concentrations above the natural radioactive background concentration in air. "Airborne radioactive materials" means are any radioactive material dispersed in the air in the form of dusts, fumes, smoke, mists, liquids, vapors or gases. This exemption does not apply to incinerators or boilers. [OLD (o)]

Atomic energy development and radiation protection are controlled by the State of California to the extent it has jurisdiction thereof, in accordance with the advice and recommendations made to the Governor by the Advisory Council on atomic energy development and radiation protection. Such development and protection are fully regulated by the Nuclear Regulatory Commission to the extent that such authority has not been delegated to the states.

(18) Any other piece of equipment or operation which the Air Pollution Control Officer determines to be a negligible source of air contaminants. This provision applies only to equipment or operations which have obtained a Certificate of Exemption in writing from the District. The Certificate of Exemption document must be maintained with the exempt equipment or be made readily available at

all times and applies only to the specific equipment or operation described in the Certificate of Exemption document.

- (19) Equipment used for anodizing, plating, polishing, stripping or etching, if the volatile organic compound content of the liquid material does not exceed 10% by weight. This exemption does not apply to acid chemical milling, chrome plating, chromic acid anodizing, or the stripping of chromium. This exemption also does not apply to copper etching operations which use ammonium hydroxide, ammonium chloride, or solutions of nitric, hydrofluoric and/or hydrochloric acids which contain more than 17 percent acid concentration by weight. [OLD (d)(37) part 2]

(T) ~~Portable Registered Equipment~~

- (1) Any portable equipment which is registered in accordance with the District's Rule 12—Portable Equipment Registration rule.
- (2) Any stationary internal combustion emergency standby engine which operates only during emergency situations and not more than 52 hours per calendar year for maintenance purposes, provided that such engines are registered in accordance with the District's registration program for such units.
- (3) Any stationary internal combustion engine with a manufacturer's output rating of less than 500 brake horsepower, for which construction commenced before April 5, 1983, provided that such engines are registered in accordance with the District's registration program for such units.

(e) RESERVED

(f) RESERVED

(g) TEST METHODS

The following test methods will be used for compliance verification purposes.

- (1) Measurement of the VOC content of all materials subject to this rule, except materials subject to Subsection (d)(O), shall be conducted in accordance with EPA Test Method 24 (40 CFR 60, Appendix A) as it exists on (date of adoption).
- (2) Measurement of the initial boiling point of all materials subject to this rule shall be conducted in accordance with ASTM Standard Test Method D1078-86 for distillation range of volatile organic liquids.
- (3) Calculation of total VOC vapor pressure for all materials subject to this rule shall be conducted in accordance with the District's "Procedures for Estimating the Vapor Pressure of VOC Mixtures" as it exists on (date of adoption). If the vapor pressure of the liquid mixture, as calculated by this procedure, exceeds the limits specified, the vapor pressure shall be determined in accordance with ASTM Standard Test Method D2879-86. The solvent composition shall be determined using one of the following ASTM standard recommended practices: E168-92, E169-93 or E260-91. The fraction of water and exempt compounds in the liquid phase shall be determined by using ASTM Standard Test Methods D3792-91 and D4457-85 and shall be used to calculate the partial pressure of water and exempt compounds. The results of vapor pressure measurements obtained using ASTM Standard Test Method D2879-86 shall be corrected for partial pressure of water and exempt compounds.